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United States Department of State

United States Participation in the UN

Report by the President to the Congress for the year 1982

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TO THE CONGRESS OF THE UNITED STATES

I am pleased to transmit herewith a report of the activities of the United States Government in the United Nations and its affiliated agencies, as required by the United Nations Participation Act (Public Law 264, 79th Congress). The report covers calendar year 1982, the second year of my Administration.

RONALD REAGAN

THE WHITE HOUSE,
January 27, 1984.

Contents

Acronyms and Short Forms xvi

Part 1. Political and Security Affairs

Peaceful Settlement 4
Middle East 4
Security Council Consideration 4
Situation in the Occupied Territories 4
Lebanon Crisis 7
UNIFIL 17
UNDOF 20
General Assembly Consideration 21
Ninth Emergency Special Session 21
Resumed Seventh Emergency Special Session 22
37th Regular Session 27
UN Relief and Works Agency for Palestinian Refugees in the Near East 39
Kampuchea 43
Credentials at the General Assembly 43
General Assembly Consideration 43
Afghanistan 44
South African Policies of Apartheid 45
Security Council 45
General Assembly 47
Other African Questions 52
Chad 52
Seychelles Complaint 53
Comorian Island of Mayotte 54
Falkland Islands 54
Security Council Consideration 54
General Assembly 56
Nicaragua 57
Cyprus 59
Intercommunal Talks 59
Security Council Consideration 60
General Assembly Consideration 60
Disarmament and Arms Control 60
Disarmament Commission 60
Committee on Disarmament 61
Ad Hoc Working Groups 62

Chemical Weapons 62
Radiological Weapons 63
Negative Security Assurances 63
Comprehensive Program on Disarmament 64
Nuclear Test Ban 64
Other Agenda Items 65
Nuclear Disarmament 65
New Types of Weapons of Mass Destruction 66
General Assembly 66
Special Session on Disarmament 66
Reduction of Military Budgets 68
Chemical and Biological Weapons 69
Comprehensive Test Ban 72
Nuclear-Weapon-Free Zones 74
Protocol I of the Treaty of Tlatelolco 74
African Nuclear-Weapon-Free Zone 74
Middle East Nuclear-Weapon-Free Zone 75
South Asian Nuclear-Weapon-Free Zone 76
Nuclear-Weapon-Free Zone Study 76
Indian Ocean Zone of Peace 77
New Types of Weapons of Mass Destruction 77
Nuclear Weapons in all Aspects 79
Non-Use of Nuclear Weapons 80
Nuclear Freeze 81
Negative Security Assurances 82
Non-Stationing of Nuclear Weapons 85
Confidence-Building Measures 86
Cut-Off of Fissionable Material for Weapons Purposes 86
Radiological Weapons 87
Prevention of an Arms Race in Outer Space 87
Strategic Arms Limitations Talks 88
Israeli Nuclear Armament 89
World Disarmament Campaign 90
Institutional Issues 91
Outer Space 93
Scientific and Technical Subcommittee 93
Legal Subcommittee 94
Outer Space Committee 95
UNISPACE '82 96
General Assembly Consideration 97
Law of the Sea 98
General Political Problems 100
Question of Peacekeeping 100
Peacekeeping Guidelines 100
Special Committee 100
General Assembly 101

Efforts Toward Strengthening the United Nations 101
Special Committee 101
General Assembly 101
U.S. Position 101
Draft Resolutions 102
Strengthening International Security 103
Questions Relating to Information 105

Part 2. Economic, Social, Scientific, and Human Rights Affairs

Economic Activities 107
Global Negotiations 107
International Development Strategy 110
Long-Term Trends in Economic Development 111
Economic Commission for Europe 112
Economic and Social Commission for Asia and the Pacific 113
Economic Commission for Latin America 115
Economic Commission for Africa 117
Economic Commission for Western Asia 118
United Nations Development Program 119
Governing and Advisory Bodies 120
Secretariat and Field Organization 120
Program Development: Patterns of Development Assistance 121
Program Development: Activities and Analysis 121
General Assembly 123
Capital Development Fund 124
United Nations Volunteers 125
UN Industrial Development Organization 126
Funding 129
Trust Funds 129
Investment Cooperative Program Office 129
System of Consultations 130
New Constitution 130
General Agreement on Tariffs and Trade 131
United Nations Conference on Trade and Development 132
UNCTAD VI Agenda 133
Economic Cooperation Among Developing Countries 134
Commodities 135
Integrated Program for Commodities 135
Coffee 135
Sugar 136

Tin 137
Natural Rubber 137
Tropical Timber 138
Shipping 139
Trade 139
Generalized System of Preferences 140
Transfer of Technology 140
Least Developed Countries 141
Commission on Transnational Corporations 143
Code of Conduct 143
International Standards of Accounting and Reporting 144
Illicit Payments and Corrupt Practices 145
United Nations Children's Fund 145
Regular May Session 147
The State of the World's Children, 1982–83 148
Population Activities 149
World Food Council 150
Social Issues 152
Drug Abuse Control 152
Commission on Narcotic Drugs 152
Reduction of Illicit Drug Demand and Trafficking 153
International Drug Abuse Control Strategy 154
Drug Scheduling Decisions 155
Other Matters 156
The International Narcotics Control Board 156
UN Fund for Drug Abuse Control 157
ECOSOC 158
General Assembly 160
UN High Commissioner for Refugees 161
International Legal Protection 161
UNHCR Programs 162
Africa 162
Latin America 162
Asia and the Near East 163
Europe 164
Cooperation to Avert New Flows of Refugees 164
Disaster Relief 165
UNDRO and Emergency Assistance 166
Lebanon 166
Chad 167
Other Areas 168
ECOSOC 169
General Assembly 169
Social Development 170
World Assembly on Aging 171
World Program of Action 173

Concerning Disabled Persons 173
Youth 175
UN Advisory Committee for International Youth Year .. 175
General Assembly 176
U.S. International Youth Year Commission 177
Crime Prevention and Control 178
Science, Technology, and Research 178
UN Environment Program 178
UNEP Governing Council 179
ECOSOC and General Assembly Consideration 181
Harmful Products 182
Human Settlements 184
ECOSOC 185
General Assembly 186
World Charter for Nature 187
New and Renewable Sources of Energy 188
General Assembly 189
Science and Technology for Development 190
UN Institute for Training and Research 191
United Nations University 194
University for Peace 195
Effects of Atomic Radiation 195
Human Rights and Fundamental Freedoms 196
Elimination of All Forms of Religious Intolerance 196
Self-Determination 197
Violations of Human Rights 201
Racial Discrimination in Southern Africa 207
Human Rights in the Occupied Territories of the Middle East 212
Human Rights in Chile 214
Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment 215
Torture Convention 216
Principles of Medical Ethics 217
Rights of the Child 218
Science and Technology 219
Drafting International Instruments 222
Measures Against Ideologies and Practices Based on Terror or Incitement to Racial Discrimination 223
Human Rights of Non-Citizens 224
Human Rights of Migrant Workers 226
Disappeared Persons 227
Improving Effective Enjoyment of Human Rights 229
Economic, Social, and Cultural Rights 231
Regional Arrangements 232
Subcommission on Prevention of Discrimination and Protection of Minorities 234

Status of Women 236
Commission on the Status of Women 237
ECOSOC Consideration 240
General Assembly 241
Specialized Agencies and the IAEA 243
World Bank Group 243
International Bank for Reconstruction and Development and International Development Association 243
Resources 243
Lending Program 244
International Finance Corporation 245
International Monetary Fund 246
Quota Increases 246
Compensatory Financing Facility 246
Food and Agriculture Organization 247
Regional Conference 247
82nd Council 248
World Food Program 248
International Fund for Agricultural Development 250
UN Educational, Scientific, and Cultural Organization 252
Fourth Extraordinary General Conference 254
Communications 254
Human Rights 255
Budget 255
1982 Sectoral Overview 255
Education 255
Natural Sciences 256
Social Sciences 257
Copyright 258
Culture 258
Communications 259
Administrative and Budget 261
U.S. National Commission for UNESCO 262
World Intellectual Property Organization 264
Administrative Organization 264
Technical Activities 265
Assistance to Developing Countries 266
Revision of the Paris Convention 266
Patent Cooperation Treaty 268
Protection of the Olympic Symbol 268
World Health Organization 268
Health Goals 270
Relations With Industry 271
Administration and Budgetary Issues 273
Political Issues 274
Pan American Health Organization 276

International Agency for Research on Cancer 277
International Civil Aviation Organization 277
ICAO Council 277
Fourth Conference on 1956 Danish and Icelandic Joint Financing Agreements 279
Communication/Meteorology Divisional Meeting 279
Air Navigation Panels 280
Panel of Experts on the Regulation of Air Transport Services 280
International Maritime Organization 281
Organization 281
Marine Environment Protection Committee 282
Legal Committee 282
Maritime Safety Committee 283
Ad Hoc Working Group on the Assessment of Contributions 283
Council 284
International Telecommunication Union 286
Administrative Council 286
Other Permanent Organs 286
Plenipotentiary Conference 287
Political 287
Southern Africa 288
Free Flow of Information 289
Administrative 289
Technical Assistance 290
Elected Officials 291
Future Conferences 291
Final Acts 291
Universal Postal Union 292
Executive Council 292
Consultative Council for Postal Studies 293
International Bureau 293
World Meteorological Organization 294
World Weather Watch 295
Environmental Deterioration 296
Weather Modification Program 296
World Climate Program 297
Education and Training 297
Budget 298
International Labor Organization 298
International Labor Conference 298
International Labor Standards 299
Resolutions Committee 300
Human Rights 301
Polish Case 302

Apartheid 305
Complaints Against the United States 305
Financial Matters 306
The International Atomic Energy Agency 307
General Conference 307
Israeli Issues in the General Conference 309
General Assembly Action 310
IAEA Programs 312
Safeguards 312
Technical Cooperation 313
Nuclear Safety and Environmental Cooperation 314
Board of Governors 315

Part 3. Trusteeship and Dependent Areas

Trust Territory of the Pacific Islands 318
Trusteeship Council Consideration—49th Regular Session 319
Trusteeship Council Visiting Mission 323
General Assembly Consideration 323
Trusteeship Council—15th Special Session 324
U.S. Territories 325
American Samoa 325
Guam 326
U.S. Virgin Islands 327
General Assembly Action 328
Namibia 329
Security Council 329
General Assembly 330
Other Questions 332
Puerto Rico 332
Western Sahara 334
East Timor 336
Other Territories 337
General Resolutions on Colonialism 338
Fourth Committee Resolutions 338
Plenary Resolutions 340

Part 4. Legal Developments

International Court of Justice 343

Cases 344
Continental Shelf (Tunisia/Libyan Arab Jamahiriya) 344
Advisory Opinion on Judgment No. 273 of the United Nations Administrative Tribunal 345
Delimitation of the Maritime Boundary in the Gulf of Maine Area (Canada/United States of America) 346
Continental Shelf (Libyan Arab Jamahiriya/Malta) 346
International Law Commission 346
Work of the Commission's 34th Session 347
Treaties Between States and International Organizations 348
State Responsibility 348
International Liability for Injurious Consequences Arising Out of Acts Not Prohibited by International Law 349
Jurisdictional Immunities of States 349
Status of the Diplomatic Courier and the Diplomatic Bag Not Accompanied by Diplomatic Courier 350
General Assembly Action 350
International Trade Law 352
Work of the Commission's 15th Session 352
General Assembly Action 354
Draft Code of Offenses Against the Peace and Security of Mankind 355
Non-Use of Force in International Relations 356
Special Committee 356
General Assembly 357
United Nations Conference on the Representation of States in Their Relations With the International Organizations 358
Protection of Diplomats 359
International Convention Against Mercenary Activities 360
Review of Multilateral Treaty Making Process 362
Succession of States in Respect of State Property, Archives, and Debts 362
Host Country Relations 364
Protection of Persons Under Detention or Imprisonment 365
Protection and Welfare of Children 367
Protection of Victims of Armed Conflicts 368
Development of Principles Concerning International Economic Relations 369

Part 5. Budget, Administration, and Institutional Management

UN Financial Matters 372

UN Financial Situation 372
UN Budget 373
Audit Reports 374
Financing of Assessed Peacekeeping Operations 375
Scales of Assessment 376
Institutional Matters 378
Committee for Program and Coordination 378
Cross-Organizational Program Analysis 378
Evaluation 379
Medium-Term Plan 379
Rules and Regulations Governing Program Planning 381
Special Review of the Ongoing Work Program 383
Joint Inspection Unit 384
Restructuring 388
Economic and Social Sectors 388
Administrative, Financial, and Personnel Sectors 391
UN Administrative Matters 393
Committee on Conferences 393
UN Accommodations 394
UN Buildings at Nairobi 395
UN Buildings at New York 396
UN Building at Addis Ababa 396
UN Buildings at Baghdad 397
The International Civil Service Commission 397
Election of International Civil Service Commission Members 398
Personnel Questions 399
UN Pension System 401
Election of UN Staff Pension Committee Members 402
Employment of Americans 402

Appendixes

1. Address by President Reagan to the UN General Assembly's Second Special Session on Disarmament and Address by Secretary Shultz to the General Assembly's 37th Regular Session. 403
2. Principal Organs of the United Nations 416
General Assembly 416
Security Council 418
Trusteeship Council 418
Economic and Social Council 419

International Court of Justice 419
Secretariat 420
3. United States Missions 421
U.S. Mission to the United Nations, New York 421
U.S. Mission to the European Office of the United Nations and Other International Organizations, Geneva 421
Other U.S. Missions 422
4. United States Representatives 423
General Assembly 423
Security Council 425
Trusteeship Council 426
Economic and Social Council 426
Specialized Agencies and IAEA 428
5. Scale of Assessments for the Apportionment of the Expenses of the United Nations 430

ACRONYMS AND SHORT FORMS

AID	U.S. Agency for International Development
ACABQ	Advisory Committee on Administrative and Budgetary Questions
ACC	Administrative Committee on Coordination
Committee of 24	Special Committee on the Situation With Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples
CD	Committee on Disarmament
CIEC	Conference on International Economic Cooperation
CSCE	Conference on Security and Cooperation in Europe
EC	European Communities
ECA	Economic Commission for Africa
ECE	Economic Commission for Europe
ECLA	Economic Commission for Latin America
ECOSOC	Economic and Social Council
ECWA	Economic Commission for Western Asia
ESCAP	Economic and Social Commission for Asia and the Pacific
FAO	Food and Agriculture Organization
GATT	General Agreement on Tariffs and Trade
G–77	The Group of 77
HHS	U.S. Department of Health and Human Services
IAEA	International Atomic Energy Agency
IBRD	International Bank for Reconstruction and Development
ICAO	International Civil Aviation Organization
ICJ	International Court of Justice
IDA	International Development Association
IFC	International Finance Corporation
ILO	International Labor Organization
IMF	International Monetary Fund
IMO	Intergovernmental Maritime Organization
ITU	International Telecommunication Union
NASA	U.S. National Aeronautics and Space Administration
NATO	North Atlantic Treaty Organization
OAS	Organization of American States
OAU	Organization of African Unity
OECD	Organization for Economic Cooperation and Development
OPEC	Organization of Petroleum Exporting Countries
PLO	Palestine Liberation Organization
SWAPO	South West Africa People's Organization

UNCITRAL	UN Commission of International Trade Law
UNCTAD	UN Conference on Trade and Development
UNDC	UN Disarmament Commission
UNDOF	UN Disengagement Observer Force
UNDP	UN Development Program
UNEP	UN Environment Program
UNESCO	UN Educational, Scientific, and Cultural Organization
UNFICYP	UN Force in Cyprus
UNHCR	Office of the UN High Commissioner for Refugees
UNICEF	UN Children's Fund
UNIDO	UN Industrial Development Organization
UNIFIL	UN Interim Force in Lebanon
UNITAR	UN Institute for Training and Research
UNRWA	UN Relief and Works Agency for Palestine Refugees in the Near East
UNSCEAR	UN Scientific Committee on the Effects of Atomic Radiation
UPU	Universal Postal Union
WFP	World Food Program
WHO	World Health Organization
WIPO	World Intellectual Property Organization
WMO	World Meteorological Organization

Part 1

Political and Security Affairs

From its inception, one of the principal purposes of the United Nations—the keystone of the entire elaborate structure—was the promotion of international peace and security. Under the UN Charter, the Security Council and the General Assembly share the authority to consider and to combat threats to peace; that is the theory, the fundamental concept.

Primary responsibility for the maintainence of international peace and security rests with the Security Council, composed of 15 members and organized to function continuously when required. Ten members represent regional blocs and serve overlapping 2-year terms. A special role within the Council is assigned to the five permanent members—China, France, the U.S.S.R., the United Kingdom, and the United States—in that the negative vote (veto) of a permanent member prevents the Security Council from taking a decision on any substantive matter, even when nine or more positive votes, as required by the Charter for the adoption of a decision, are recorded by the Council members. Council decisions on procedural matters are not subject to veto by a permanent member, and merely require nine or more positive votes for adoption. However, even in such matters, the principle of consensus has come to be the unwritten rule. The Charter authorizes the Council to act for the purpose of achieving pacific settlement of disputes (Chapter VI) and to deal with threats to peace, breaches of the peace, and acts of aggression (Chapter VII). The Council is limited to making recommendations for action on those matters that come under Chapter VI. In areas covered by Chapter VII it may take action that is in theory binding on all member states, including the imposition of collective political, economic, and military sanctions.

The Security Council has established UN peacekeeping operations to assist in carrying out its responsibilities. Those currently operating include the UN Force in Cyprus (UNFICYP), the UN Disengagement Observer Force (UNDOF) in the Golan Heights between Israel and Syria, the UN Interim Force in Lebanon (UNIFIL) in southern Lebanon, the UN Truce Supervision Organization (UNTSO) in Israel and neighboring countries, and the UN Military Observer Group in

India and Pakistan (UNMOGIP). These peacekeeping operations were created and deployed with the consent of the governments concerned. (One of the United Nations great ironies is that the Soviet bloc and, until very recently, China have made scarcely any contributions to such key operations.) In 1978, the Council authorized the establishment of a UN Transition Assistance Group (UNTAG) to assist the Secretary General's Special Representative to ensure the early independence of Namibia through free and fair elections. Its formation still awaits final agreement on a Namibia settlement.

The Security Council held 89 meetings in 1982. Most were devoted to Middle East and African issues; in the first half of the year a number of meetings were held on the Falklands/Malvinas crisis. During the year, the Council passed a total of 29 resolutions.

Regarding Lebanon alone, in the course of the year the Council renewed the mandate of UNIFIL 3 times, held 20 formal meetings on the situation there, adopted 11 resolutions, considered 3 others which the United States vetoed and agreed on 2 consensus policy statements by the President of the Council.

The Council met 13 times on the Falklands/Malvinas crisis. It passed two resolutions on this subject—one of which asked the Secretary General to undertake a mission of good offices to assist in resolving the conflict. A third resolution, requesting the disputing parties to cease fire "immediately" and to initiate, simultaneously with the cease-fire, the implementation of resolution 502 (1982) and 505 (1982), was vetoed as untimely by the United Kingdom and the United States.

On Africa, the Council in April passed resolutions calling on South Africa to commute the death sentences of three members of the African National Congress of South Africa and requesting the Secretary General to establish a fund for assistance to the peacekeeping force of the Organization of African Unity in Chad. In December, the Council passed another resolution on death sentences for other members of the African National Congress of South Africa and a resolution expressing concern about the December 9 violation of the sovereignty of Lesotho and action by the military forces of the Republic of South Africa in Lesotho.

The Council renewed the mandate of UNDOF on May 26 and November 29 and that of UNFICYP on June 15 and December 14.

All UN member states are represented in the General Assembly, which meets annually from mid-September to late December. The work of the Assembly takes place in plenary meetings and in seven main committees. Disarmament issues are considered in the First Committee. Political issues are discussed in plenary and the Special Political Committee. The Assembly also has established subsidiary bodies, sometimes of limited membership, which meet between Assembly sessions and report to it. These reports form the foundation for much of the Assembly's work.

The resumed 36th General Assembly, which had been suspended on December 18, 1981, reconvened between March 16–29, and April 28 to further consider the scale of assessments, UNICEF, UNRWA, and Global Negotiations, and to fill the vacancy on the International Court of Justice left by the death of Judge Abdullah El-Erian (Egypt).

The General Assembly met in its 12th special session as the second special session on disarmament. The meeting took place June 7–July 9 and was highlighted by the participation of 18 heads of state or government. President Reagan addressed the session on June 17, outlining a detailed agenda for peace covering a full range of arms control measures. Five draft resolutions were introduced but not put to a vote; they later were introduced in the 37th General Assembly.

The 37th General Assembly convened on September 21, 1982, and was suspended on December 21. It was scheduled to resume in early 1983 to consider a few of the remaining items on its agenda, including a debate on Cyprus. As in previous years, Middle East and southern African issues dominated the political agenda of the 37th General Assembly. Especially important to the United States was a debate on a Cuban proposal to inscribe the question of Puerto Rico on the agenda of the Assembly under the rubric of "decolonization"—a proposal that was voted down by a wide margin.

The Assembly adopted seven resolutions critical of Israel under the agenda item "Israeli Practices in the Occupied Territories." Five resolutions ostensibly supporting the Palestinian cause and criticizing Israel were adopted under the item "The Question of Palestine." The United States voted against most of these resolutions and abstained on others on the grounds that they made no contribution to the proposal made by President Reagan on September 1, 1982, on a process for peace in the Middle East, and that they were unbalanced and not constructive.

The Assembly adopted 10 resolutions under the item "Policies of Apartheid of the Government of South Africa." The United States opposed most of these because of their extreme, confrontational nature, while restating firm U.S. opposition to apartheid.

Under the item "Situation in Kampuchea," the Assembly again adopted a resolution aimed at ending Vietnam's 1978 military occupation of Kampuchea (Cambodia). Another highlight of the 37th General Assembly was the adoption of a resolution calling for the withdrawal of all foreign forces from Afghanistan and restoration of Afghan independence and territorial integrity. The resolution reflected overwhelming, continuing international opposition to the Soviet 1979 invasion and occupation of Afghanistan.

Arms control and disarmament was, as in the past, a major area of activity at the 37th General Assembly. The Assembly adopted 55 resolutions on these subjects, including a second renewal of the mandate of an experts group on chemical and biological weapons

which had been established by a resolution of the 35th Assembly to investigate reports of the use of such banned weapons in Laos, Kampuchea, and Afghanistan.

PEACEFUL SETTLEMENT

Middle East

SECURITY COUNCIL CONSIDERATION

Situation in the Occupied Territories

The Security Council in 1982 considered four events that took place in or were related to territories occupied by Israel. The first of these was Israel's December 1981 law extending Israeli laws, jurisdiction, and administration to the occupied Golan Heights, a matter that the Council had acted on at the end of 1981 but had left for possible further action. The next occurrence was mounting violence and tension in the West Bank during March. The third event was the attack on worshippers at the Dome of the Rock shrine in Jerusalem by a lone Israeli gunman on April 11. The fourth, in November, was a perceived heightening of Israeli settlement activity in the occupied territories, a situation prompting Arab and Islamic expressions of concern. These topics occupied the Council's attention at a total of 20 meetings during the year.

The Golan Heights. The Security Council convened January 6 to consider whether further action should be taken in response to the Israeli Knesset's law of December 14, 1981, extending Israel's laws, jurisdiction, and administration to the occupied Golan Heights. The Council meeting was called in accordance with its resolution 497 (1981) which had passed unanimously on December 17. That resolution had declared the Knesset's action "null and void and without international legal effect" and had demanded recision of the law; the final paragraph of the resolution had asked the Secretary General to report to the Council on the resolution's implementation within 2 weeks and had said the Council should convene "not later than 5 January 1982, to consider taking appropriate measures" if Israel did not comply with the resolution.

The Knesset's law had not been rescinded when the Council convened on January 6. The Secretary General's report, issued December 31, 1981, was before the Council. This report quoted a note to the Secretary General from the Permanent Representative of Israel dated December 29 stating among other things that Israel "is willing, now as always, to negotiate unconditionally with Syria, as with its other neighbors, for a lasting peace, in accordance with Security Council resolutions 242 (1967) and 338 (1973)." The Knes-

set's law "does not preclude or impair such negotiations," the quoted note declared. Another report of the Secretary General issued pursuant to General Assembly resolution 36/226 B of December 17, 1981, was also available to the Council.

The Council debated this topic in eight meetings January 6–20. On January 14, the Council received a draft resolution sponsored by Jordan which, as later revised, invoked Chapter VII of the UN Charter and strongly condemned Israel "for its failure to comply with Security Council resolution 497 (1981) and General Assembly resolution 36/226 B." Calling Israel's measures on the Golan Heights "an act of aggression" under Article 39 of the UN Charter, the draft resolution asked UN members to consider applying measures to nullify the Israeli "annexation" of the Golan Heights. Other actions against Israel were also urged. This draft resolution came to a vote on January 20. It received nine favorable votes, the minimum majority necessary for adoption in the absence of a veto. The United States voted against it, and its negative vote constituted a veto. There were five abstentions.

Ambassador Jeane J. Kirkpatrick explained the U. S. position just prior to the vote on January 20. She reaffirmed that "we do not approve of Israel's annexation of the Golan Heights; indeed, we do not even believe that annexation has occurred." Stressing the need for a fair and constructive approach to the Golan problem, she called the draft resolution "an aberration—even a perversion—of the very purpose which the Security Council is called upon by Chapter VII of the UN Charter to perform." The Charter directs the Council to keep situations from worsening, she noted, whereas the draft currently before the Council "would become a source of aggravation."

The Council met again on January 28 at the request of Jordan, which submitted a new draft resolution seeking an emergency special session of the General Assembly. This move was based on the "Uniting for Peace" procedure which allows the Council, in an action not subject to veto, to convene the Assembly when the permanent members have not been unanimous and one or more of them have vetoed a Council measure where there appears to be a breach of or threat to the peace or act of aggression. Jordan's proposal was adopted January 28 by a vote of 13 to 0, with 2 (U.K., U.S.) abstentions. (Resolution 500 (1982).) Ambassador Charles M. Lichenstein explained after the vote that, in the U.S. view, "no productive purpose can possibly be served by yet another debate in an emergency special session of the General Assembly." The Ambassador feared that such a session would only give rise to "more and more inflammatory invective," with the result that, "instead of serving as an instrument of conflict resolution, the uniquely valuable forum of the United Nations will once again be made an instrument of conflict extension and conflict exacerbation."

West Bank Violence. Violence between Palestinian demonstrators and Israeli soldiers in the West Bank, together with Israeli measures dissolving the elected municipal council of El Bireh and dismissing the mayors of Nablus and Ramallah, heightened tensions in the occupied territories during March 1982. Jordan requested an urgent meeting of the Security Council on March 22 to discuss this "grave and rapidly deteriorating situation." The Council met in five sessions between March 24–April 2, conducting extensive and at times heated debates. Jordan circulated a draft resolution on April 1 denouncing "measures imposed on the Palestinian population such as the dismissal of the elected mayors" and calling on Israel to rescind both this measure and the removal of the mayors of Nablus and Ramallah. The draft also reaffirmed the applicability of the Fourth Geneva Convention[1] to the occupied territories. The Council voted on this proposal April 2. The vote on the draft resolution was 13 to 1 (U.S.), with 1 abstention. It was not adopted owing to the negative vote of the United States.

Explaining the U.S. veto on April 2 Ambassador Lichenstein stated:

> We would have preferred to have had before us a draft resolution that we could have supported, one that expressed in a noncondemnatory way the Council's great concern about the recent tragic events, which have resulted in injury and loss of life on both sides. Instead, the draft resolution . . . uses strongly denunciatory language and does not take into account the complexity of the problem. Nor would it lead us closer to a solution; on the contrary, it would lead us away from an ultimate solution.

Ambassador Lichenstein also spoke about the dismissal of the El Bireh council and the two mayors, saying that Article 54 of the Fourth Geneva Convention gave an occupying power the unrestricted right to dismiss public officials, whether they were elected or appointed.

Dome of the Rock Incident. On April 11, an American-born Israeli soldier shot his way into the Dome of the Rock shrine in Jerusalem, killing and wounding a number of people. He was arrested by Israeli police. Acting on separate requests from Morocco and from Iraq, Iraq also on behalf of 36 other Islamic states, the Security Council met six times April 13–20 to consider this event. After long—and ultimately fruitless—consultations between the United States and key Islamic states to agree on a text, Jordan and Morocco submitted a draft resolution which Iraq and Uganda also cosponsored. The draft referred to a statement received from Jerusalem's Higher Islamic Council "concerning the shooting of worshippers by armed Israelis" and condemned the "appalling acts of sacrilege" perpetrated in Jerusalem's holy precincts. The draft

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[1] Convention Relative to the Protection of Civilian Persons in Time of War; done at Geneva, August 12, 1949; entered into force for the United States February 2, 1956.

deplored such acts as "tending to disturb world peace." The draft also called on Israel, as the occupying power, to observe the provisions of the Fourth Geneva Convention and specifically "to refrain from causing any hindrance" to the functioning of the Higher Islamic Council. The Council voted on the draft resolution on April 20. The vote was 14 to 1 (U.S.), the U.S. vote constituting a veto.

Ambassador Kirkpatrick explained the U.S. position in a statement delivered April 20 after the vote. She began by reiterating that "the United States profoundly regrets and strongly condemns the senseless act of violence that occurred . . . .at one of Islam's most sacred mosques, the Dome of the Rock." However, she added, the draft resolution before the Council served no constructive purpose. Instead of helping to decrease tensions and prevent further acts of violence, it "would make new acts of violence more, not less, likely to take place in the future." The Ambassador noted also that the draft "contains language, in the preambular and operative paragraphs, which implies that the responsibility for this terrible event lies not with the individual who was responsible for the incident but with the Israeli authorities, who have unequivocally denounced the act." She went on: "The text also implies that Israel has hindered the efforts of the Higher Islamic Council to perform its responsibilities for the administration of the Holy Places, whereas the evidence is that Israel has in the main carefully respected the Council's role." To avoid any misunderstanding regarding the U.S. position on the status of Jerusalem, the Ambassador reaffirmed the U.S. view that "the final status of Jerusalem can only be determined through negotiations among all concerned parties."

Israeli Settlements. The Moroccan Permanent Representative to the United Nations sent a letter to the President of the Security Council on November 5 asking for a meeting of the Council to consider "Israel's perseverance in its policy of establishing settlements in occupied Arab and Palestinian territories." This request was seconded by the Permanent Representative of Niger in a letter dated November 9, sent on behalf of the member states of the Organization of the Islamic Conference, which expressed concern at "the announcement of the establishment by the Israeli authorities of new settlements."

The Council heard several Arab and African speakers November 12 on the question of Israeli settlements. The United States did not speak, no draft resolution was offered, and the meeting ended inconclusively.

Lebanon Crisis

From early June to mid-September, the Security Council was preoccupied with the breakdown of peace and security in Lebanon

occurring as the Israel Defense Forces (IDF) invaded Lebanese territory from northern Galilee and battled the fighters of the Palestine Liberation Organization (PLO) up to and within Beirut. The Council held 19 formal meetings on the crisis during this period. It adopted 10 resolutions, considered 3 others that the United States vetoed, and agreed on 2 policy statements by the Council's President.

On June 4, the Lebanese Permanent Representative requested an urgent meeting of the Security Council in a letter to the Council's President which spoke, without elaboration, of "the deterioration of the situation on the Lebanese border."[2] In fact, Israeli air attacks had occurred around Beirut followed by heavy exchanges of fire in the Israeli-Lebanese border area between Palestinian and pro-Palestinian elements and Israeli and pro-Israeli forces. The Council President issued a statement on behalf of its members on the evening of June 4, urgently appealing "to all parties to adhere strictly to the cease-fire that had been in effect since 24 July 1981 and to refrain immediately from any hostile act likely to provoke an aggravation of the situation."

Meeting in formal session on June 5, the Council heard a report from the Secretary General describing the continuing Israeli air strikes in Beirut and south Lebanon and the exchange of artillery, mortar, and rocket fire in south Lebanon. Noting "the continuing hostilities, the buildup of forces south of the border and the very real danger of further escalation," the Secretary General said he had appealed to the parties for a simultaneous cease-fire no later than 0600 hours local time on June 6. The Council quickly passed a draft resolution introduced by Japan which called on the parties to cease "all military activities within Lebanon and across the Lebanese-Israeli border" no later than the same deadline of 0600 hours on June 6. The vote was unanimous. (Resolution 508 (1982).) Several representatives of both Council members and others (but not the United States) then spoke. The British, Irish, and French Representatives made a point of expressing condemnation for the attempt on the life of the Israeli Ambassador in London which had occurred on June 3, just prior to the Israeli air strikes. This assassination attempt had been mentioned by some as the proximate cause of these air attacks. Each of these speakers declared that this terrorist act against the Ambassador, reprehensible as it was and whoever may have been responsible, did not justify the scale of the Israeli raids. The Israeli Representative challenged this position.

The Security Council met again on June 6, after it was apparent that the cease-fire called for in resolution 508 had not been implemented by the stated deadline. The Secretary General described his

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[2] This letter became a basis for holding all the discussions of the Security Council throughout the 1982 Lebanon crisis, starting with the June 5 meeting.

unsuccessful efforts through the night to bring about a cessation of hostilities. He reported that, around 1130 hours local time on June 6, Israeli ground forces had started to move into Lebanon in strength. The positions of UNIFIL, despite some blocking and defensive measures, had been overrun or bypassed. The Secretary General said: "The Force has neither the mandate nor the military capacity to counter an invasion such as is now taking place, which is estimated to comprise more than two mechanized divisions with full air and naval support."

The Representative of Ireland introduced a draft resolution which was adopted unanimously. (Resolution 509 (1982).) It contained two demands: "that Israel withdraw all its military forces forthwith and unconditionally to the internationally recognized boundaries of Lebanon" (operative paragraph 1) and "that all parties observe strictly" the cease-fire terms of resolution 508 passed the previous day (operative paragraph 2). The resolution also called on the parties to inform the Secretary General of their acceptance of this resolution within 24 hours.

Immediately after the vote, Ambassador Lichenstein explained the U.S. position as follows:

> This resolution focuses on two elements as a means of ending the present military confrontation in Lebanon: a cessation of hostilities by all of the parties and the withdrawal of Israeli forces from Lebanon. Operative paragraphs 1 and 2 of this resolution seek to accomplish these two interrelated objectives. We wish to emphasize that these two objectives are, in fact, inextricably linked and that their implementation must be simultaneous. This, in our view, is the clear, logical, and necessary meaning of the resolution.

As the hostilities continued in Lebanon, the Security Council met twice on June 8 at the request of Lebanon. The first meeting was devoted to a report from the Secretary General and to speeches by the Lebanese and Israeli Representatives. The Secretary General highlighted the activities of UNIFIL, not only in briefly standing ground against the overwhelming Israeli force but in extending humanitarian help to the inhabitants of south Lebanon. At the second meeting, Spain introduced a draft resolution condemning what it termed Israel's "noncompliance" with resolutions 508 and 509. It also urged the parties to comply with the regulations attached to the 1907 Hague Convention,[3] reiterated the Council's previous demands for Israeli withdrawal and a cease-fire by all the parties, and added a demand that all hostilities cease in compliance with resolutions 508 and 509 "within 6 hours." In the event of noncompliance, the draft declared, the Council would convene again "to consider practical ways and means in accordance with the Charter of

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[3] The Convention for the Pacific Settlement of International Disputes, done at The Hague, October 18, 1907, entered into force for the United States January 26, 1910.

the United Nations." The vote on this draft was 14 to 1 (U.S.) and thus was not adopted owing to the U.S. veto.

Ambassador Kirkpatrick made an explanation of the U.S. position immediately after the vote. Declaring that the U.S. objective was "to end the bloodshed and the cycle of violence in Lebanon and to restore full respect and sovereignty and territorial integrity and independence to that troubled land," she noted that resolutions 508 and 509 contained "balancing language" taking the complexities of the situation into account. "Unfortunately," she said, "the resolution now before us is not sufficiently balanced" to accomplish the aim of bringing lasting peace to Lebanon. She stated that the U.S. Government was "currently engaged in every possible effort" to end the hostilities.

France, at a Security Council meeting on June 19, introduced a draft resolution designed to deal with the plight of the civilians, both Lebanese and Palestinian, suffering from the continuing warfare. The draft was adopted unanimously at the same meeting. It called on "all the parties to the conflict to respect the rights of the civilian populations, to refrain from all acts of violence against those populations and to take all appropriate measures to alleviate the suffering caused by the conflict." It called on the parties, in particular, to facilitate the supply of aid by UN agencies and nongovernmental organizations, especially the International Committee of the Red Cross (ICRC), and it appealed to members to continue providing humanitarian aid. The resolution also stressed the humanitarian responsibilities of the United Nations, including the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), calling on the parties "not to hamper the exercise of those responsibilities and to assist in humanitarian efforts." Finally, it took note of measures by the Secretary General to coordinate activities by international agencies in this field and asked him "to make every effort to ensure the implementation of and compliance with this resolution." (Resolution 512 (1982).)

Speaking after the vote for the United States, Ambassador Lichenstein told the Council that the United States supported the efforts then underway "to provide humanitarian services to the people of Lebanon," and he outlined specific commitments already made by the U.S. Government.

France introduced another draft resolution in the Security Council meeting on June 26. After expressing apprehension about the extension of fighting within Beirut, the Lebanese capital, the draft demanded an immediate cease-fire throughout Lebanon and an Israeli withdrawal "to a distance of 10 kilometers from the periphery of that city, as a first step toward the complete withdrawal of Israeli forces from Lebanon, and the simultaneous withdrawal of the Palestinian armed forces from Beirut, which shall retire to the

existing camps." Other operative paragraphs sought to restore the Lebanese Government's authority in Beirut and throughout Lebanon. Two further operative paragraphs asked the Secretary General to station UN military observers in and around Beirut, by agreement with the Lebanese Government, and to examine "any request by the Government of Lebanon for the installation of a United Nations force." The vote on this draft was 14 to 1 (U.S.).

Ambassador Lichenstein explained the U.S. veto by stating that the draft "fails to call for the essential requisite for the restoration of the authority of the Government of Lebanon, that is the elimination from Beirut and elsewhere of the presence of armed Palestinian elements who neither submit to nor respect the sovereign authority of the Lebanese Government." This omission was a "fatal flaw." The Ambassador stressed that the draft contained many elements that the United States supported, namely to call for an immediate cease-fire, a call for simultaneous Israeli and Palestinian withdrawals from the Beirut area, and a call for UN observers at Lebanese Government request.

Because of the continued fighting, especially in the Beirut area as the Israeli forces closed in on the Palestinians in West Beirut, the Security Council met again on July 4. It had before it a draft resolution prepared in the course of earlier consultations among the Council's members. It called for "respect for the rights of the civilian populations without any discrimination"; repudiated "all acts of violence against those populations"; and called also for "the restoration of the normal supply of vital facilities such as water, electricity, food, and medical provisions, particularly in Beirut." It commended the humanitarian work of the Secretary General and of international agencies, requesting them to continue these efforts.

The Council brought this draft to a vote on the same day and adopted it unanimously. (Resolution 513 (1982).) There were few speeches, and the U.S. Representative did not make a statement.

As fighting continued in the Beirut area, the Egyptian and French Permanent Representatives sent a letter to the President of the Security Council on July 28 requesting an urgent Council meeting.[4] A draft resolution sponsored by the two countries was appended to the letter. This draft had been presented several weeks earlier to Council members as a working document but not submitted officially for Council debate until this time.

The Franco-Egyptian draft, among other things, demanded a cease-fire by "all the parties" and a phased withdrawal plan of Israeli and Palestinian forces, requested the Secretary General to station UN military observers in and around Beirut with Lebanese

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[4] This letter, together with the letter of June 4 from the Lebanese Permanent Representative, was to be cited as a basis for all the Council's discussions from July 29 to the end of the 1982 Lebanon crisis.

Government agreement and to prepare a report on possible deployments of UN peacekeeping forces, and proclaimed certain principles for the "durable restoration of peace and security in the region within the framework of negotiations." The principles included a reaffirmation of the right of coexistence and security for states in the region as expressed in Security Council resolution 242 (1967) and a reaffirmation of "the legitimate national rights of the Palestinian people" with involvement of the PLO in negotiations.

The Council held two meetings on July 29. The Franco-Egyptian draft was not brought to a vote. Instead, with the agreement of the French and Egyptian Representatives, priority was given to a draft resolution put forward verbally by Spain. The Spanish Representative read this new text and called it "a humanitarian draft that is not at all intended to interfere with the draft resolution presented by the delegations of France and Egypt." It demanded that Israel "lift immediately the blockade of the city of Beirut in order to permit the dispatch of supplies to meet the urgent needs of the civilian population and allow the distribution of aid" by UN agencies and other organizations such as the ICRC.

After the Spanish draft was presented, Ambassador Kirkpatrick requested a suspension of the Council's meeting. She explained that her request was for a suspension of just 2 hours to permit consultations with governments. She saw "serious problems" with the Spanish draft, partly because of inadequate time to consider it properly and partly because it lacked balance. She declared:

> "It is surely, in the first instance, the Palestine Liberation Organization which imposes itself on the civilian population of Beirut. But the draft resolution submitted by my colleague from Spain does not ask that that armed force abandon its occupation of Beirut or desist in its military activities. It calls only on Israel. Yet everyone understands that Israel seeks to affect supplies to the PLO forces, not to the civilian population of Beirut."

The Panamanian and Jordanian Representatives opposed Ambassador Kirkpatrick's proposal for a suspension of the meeting. The U.S. proposal was therefore put to a vote as a procedural question. The result was 6 (U.S.) to 6, with 3 abstentions. The U.S. request was thus defeated. The Spanish text was immediately brought to a vote and adopted by a vote of 14 to 0, with 0 abstentions. (Resolution 515 (1982).) The United States did not participate in the voting. Ambassador Kirkpatrick declared that the United States "strongly objects to the procedure employed here today."

The Council convened again on August 1 at the urgent request of the Lebanese Permanent Representative, who was reacting to a new outbreak of fighting in and around Beirut. A draft resolution drawn up in consultations shortly before the meeting was quickly adopted by unanimous vote. The resolution expressed alarm at "the continua-

tion and intensification of military activities in and around Beirut" and took note of "massive violations of the cease-fire." It demanded an immediate cease-fire and authorized the Secretary General "to deploy immediately on the request of the Government of Lebanon, United Nations observers to monitor the situation in and around Beirut." The resolution also asked the Secretary General to report back to the Council on compliance with the resolution within 4 hours. (Resolution 516 (1982).)

Several representatives made statements at the meeting. The United States was not among them. The Lebanese Representative read an appeal from the Prime Minister of Lebanon which spoke of a "ferocious Israeli attack" that had caught the "already bleeding" city of Beirut by surprise. The Israeli Representative said that the IDF had been responding to PLO cease-fire violations, and he announced late information he had received indicating that a renewed cease-fire had just gone into effect.

Following consultations among its members, the Security Council convened just before midnight on August 3. The Council had before it the Secretary General's report submitted pursuant to resolution 516. The report said that the Lebanese Government and the PLO had conveyed their agreement to the deployment of UN observers in and around Beirut, while Israel had said it would give its decision later and meanwhile had turned back a team of observers seeking to enter Beirut by road from the south.

The Council's President delivered a statement on behalf of the members expressing serious concern at continuing news from Beirut of high tension, military movements, and outbreaks of warfare. The President's statement affirmed the need to implement the cease-fire provision of resolution 516 and called for the immediate lifting of obstacles blocking supplies and aid for the civilian population. The statement also noted, citing the Secretary General's report, that "some of the parties" had assured their cooperation for the deployment of UN observers. The statement urged "all of the parties" to cooperate fully in this effort.

Mr. Carl S. Gershman spoke briefly for the United States, confirming that the United States joined in supporting the Council President's statement. He stressed that the United States had been actively seeking a peaceful resolution of the Lebanese conflict through the mediating work of Ambassador Philip Habib, which was then underway.

At the request of the Soviet Union, the Security Council reconvened on August 4. A draft resolution jointly submitted by Jordan and Spain was before the Council at the start of the debate. In two meetings on August 4, the Council considered the continuing agony of Beirut, where the warfare had escalated again with advances by Israeli troops.

The draft resolution, which underwent revision during the debate, expressed deep shock and alarm in its single preambular paragraph at "the deplorable consequences of the Israeli invasion of Beirut on 3 August 1982." The Council's demand for a cease-fire was confirmed in the operative provisions, and Israel was censured for "its failure to comply" with previous Council resolutions. Other operative paragraphs called for the return of Israeli troops which had advanced beyond lines held on August 1 and took note of a decision by the PLO to move Palestinian fighters from Beirut. Further operative sections authorized the Secretary General to increase the number of UN observers in the Beirut area, asked him to report to the Council on the implementation of this resolution by 1000 hours EDT August 5, and decided to meet again if necessary to consider the Secretary General's report. If it met again, the Council would "consider adopting effective ways and means in accordance with the provisions of the Charter of the United Nations" in case any of the parties had failed to comply.

This text was put to a vote during the second meeting on August 4 and was adopted by a vote of 14 to 0, with 1 (U.S.) abstention. (Resolution 517 (1982).) Speaking for the United States after the vote, Mr. Gershman reiterated the deep concern of the U.S. Government at the "tragic violence that afflicts the people of Beirut." Not only had the United States repeatedly supported cease-fire resolutions, but it had also worked ceaselessly to restore peace, especially through Ambassador Habib. Furthermore, Mr. Gershman declared, the United States favored the introduction of UN observers in Beirut and regretted there had not yet been "full cooperation" with the Secretary General in implementing resolution 516. However, the resolution just voted on had a "fatal flaw" in not calling for the withdrawal of the PLO from Lebanon "explictly and unequivocally." Because of this lack of balance, he explained, the United States had abstained.

The Security Council was again called into formal session at 1 a.m. on August 6 at the request of the Soviet Union. The Soviet Representative introduced a draft resolution expressing indignation at Israel as warfare continued in Beirut. After revision during a debate encompassing two meetings on August 6, the Soviet draft strongly condemned Israel "for not implementing resolutions 516 (1982) and 517 (1982)" and demanded Israel's implementation of these resolutions. The draft further declared that UN members should refrain from supplying Israel with weapons and military aid "until the full withdrawal of Israeli forces from all Lebanese territory." The vote on this text was 11 to 1 (U.S.), with 3 abstentions. It thus failed to be adopted because of a U.S. veto.

Ambassador Lichenstein explained to the Council after the vote that the United States had opposed the Soviet draft because it called

for sanctions against Israel; was unbalanced; and "would not have contributed to our goal of achieving, through negotiations, a peaceful settlement." He stressed the intensive work of Ambassador Habib to achieve a negotiated settlement in Beirut on Lebanon. "We shall support any action in the Council that will assist Ambassador Habib in his mission," Ambassador Lichenstein declared. "At the same time," he added, "we shall do nothing that might in any way affect this mission adversely." Ambassador Lichenstein noted that the United States had voted for past Council actions during the protracted Lebanon crisis, and in particular that it had backed the call for UN observers in resolution 516. The U.S. goal was to support the Lebanese Government's wish for the complete withdrawal of all foreign forces from Beirut. He regretted what he called an attempt to "polarize" the Council. He suggested a "cease-fire" within the Council to give the peace process a chance to succeed.

On August 12, the Security Council met again at Soviet request. Warfare in Lebanon and especially in and around Beirut was continuing on a large scale. A draft resolution sponsored by Guyana, Jordan, Panama, Togo, Uganda, and Zaire was before the members at the start of the debate. As the Council considered the matter during August 12, the sponsors revised the draft. As finally voted upon, it demanded that "Israel and all parties to the conflict" observe the Council's cease-fire resolutions, that all restrictions on Beirut be lifted to permit the entry of supplies for the urgent needs of the city's civilian population, and that Israel cooperate in the effort to deploy UN observers as requested by the Lebanese Government. The draft also requested the Secretary General to report "soonest" on the implementation of this resolution and declared that the Council would meet again, if necessary, on receipt of this report. The draft, as amended, was approved by a vote of 15 (U.S.) to 0, with 0 abstentions. (Resolution 518 (1982).)

Ambassador Lichenstein, explaining the U.S. vote immediately after the result was announced, said that the new fighting was an obstacle to the negotiations, then heading toward completion, for a peaceful resolution of the crisis. In the U.S. view, the Council's resolution was a constructive effort. "We urge the Council," he declared, "to avoid any initiative that could upset the negotiations during this present critical phase." He also expressed the hope that a cease-fire arranged earlier in the day would be permanent.

Shortly after the adoption of resolution 518 on August 12, the situation in Lebanon appeared to improve. Ambassador Habib's mediating efforts reached fruition with the announcement August 20 of an agreed plan for the departure from Beirut of the PLO leadership, offices, and combatants. A multinational force composed of American, French, and Italian troops stood guard during the ensuing PLO evacuation. The Lebanese Parliament elected a new

Lebanese President, Mr. Bashir Gamayel, to preside over what the world community hoped would be the restoration of peace and legitimacy in Lebanon. Then, on September 14, the President-elect was killed when a bomb shattered his Phalange Party headquarters in East Beirut. Prompted by this event, Israeli forces advanced into West Beirut for the stated purpose of ensuring public order and security. On September 16, the Lebanese Permanent Representative requested an urgent meeting of the Security Council in view of this latest Israeli move.

The Council held two meetings on September 16 and 17. During the debate, Jordan introduced a resolution which was adopted unanimously on September 17. The resolution condemned the murder of Bashir Gemayel and noted the Lebanese Government's wish to ensure the withdrawal of non-Lebanese forces from Lebanon. It condemned the recent Israeli incursion into Beirut and demanded an immediate pullback to the positions occupied by Israel before September 15, calling this "a first step towards the full implementation of Security Council resolutions." Additional operative provisions called for strict respect for Lebanon's sovereignty "under the sole and exclusive authority of the Lebanese Government through the Lebanese Army throughout Lebanon" and reaffirmed previous Council resolutions repudiating violence against civilian populations and urging respect for their rights without discrimination. The efforts of the Secretary General to deploy UN observers in and around Beirut were again supported. (Resolution 520 (1982).)

The United States did not deliver a statement during the debate.

The Security Council reconvened in the early evening of September 18 at the urgent request of Jordan. The meeting, after a suspension of several hours in the middle of the debate, lasted until early morning on September 19.

The Secretary General opened the discussion on September 18 with a statement informing the Council of developments revealed since its last meeting had ended less than 24 hours earlier. He first outlined efforts with the Israeli Government to increase the size of the UN observer team in Beirut, a request to which the Israelis had responded by noting that the IDF was evacuating certain positions in West Beirut and turning them over to the Lebanese Army. The Secretary General then detailed reports he had received from UN observers concerning the massacre of civilians in the Sabra-Shatila Palestinian refugee complex in the southern suburbs of Beirut. These reports highlighted the presence of Kataeb units (Phalange militia) in the vicinity of the Sabra camps. Clusters of bodies of men, women, and children apparently massacred in groups of 10 or 20 had been seen the morning of September 18 in the Sabra camp. The Secretary General ended with a tribute to the observers who had been supplying as much first-hand information as possible with severely limited means.

Consultations among Council members during the session produced a draft resolution which was put to a vote in the early hours of September 19. It was adopted by a vote of 15 (U.S.) to 0, with 0 abstentions. It condemned the massacre of Palestinian civilians in Beirut and reaffirmed the Council's previous calls for respecting the rights of civilians without discrimination. It authorized the Secretary General "as an immediate step" to increase the number of UN observers in and around Beirut from 10 to 50 and insisted that there be no interference with their deployment and movement.

The Secretary General was asked to ensure their deployment in consultation with the Lebanese Government. The resolution also asked the Secretary General "as a matter of urgency to initiate appropriate consultations and in particular consultations with the Government of Lebanon on additional steps which the Council might take, including the possible deployment of UN forces, to assist that Government in ensuring full protection for the civilian population in and around Beirut." All parties concerned must permit the authorized UN observers and forces in Lebanon to discharge their mandates, the resolution declared, and in this connection all member states were reminded of their obligation under Article 25 of the Charter to accept and carry out Council decisions. (Resolution 521 (1982).)

The United States did not deliver a statement during the debate.

UNIFIL

The status of the United Nations Interim Force in Lebanon (UNIFIL) was considered by the Security Council on four occasions in 1982. The first was in February, when the Council decided to increase the size of the force. The second time was when UNIFIL's latest 6-month mandate expired and the Council had to consider whether and how to renew it. Since Israel's invasion of Lebanon—which began about 2 weeks earlier—had raised serious questions about UNIFIL's continued role, the Council renewed the mandate on an interim basis for only 2 months. This necessitated yet another consideration in August, when the Council renewed for a further interim period of 2 months. Finally, in October, the Council had to consider renewal once more. It adopted a third interim extension, this time for 3 months.

Increase in UNIFIL Strength, February. The Secretary General, in a report dated February 16, noted that Security Council resolution 498 (1981), adopted December 18, 1981, renewing UNIFIL's mandate, had declared that the Council would review UNIFIL's situation as a whole within 2 months. Since then, the Secretary General's report said, conditions in southern Lebanon had "remained extremely volatile" and UNIFIL had continued to be

prevented from fully implementing its original mandate. According to the report, the Lebanese Government had discussed with the UN Secretariat a detailed program to achieve UNIFIL's mandate in full. Seconded by a "strong recommendation" from UNIFIL's commander, the Lebanese Government wished to increase the ceiling for UNIFIL troops by at least 1,000 over its mandated 6,000 total. The Secretary General concurred in this recommendation, stating that "UNIFIL, in its present strength, is stretched to the limit and, indeed, seriously overstrained."

The Permanent Representative of Lebanon, in a letter to the President of the Security Council also dated February 16, supported the Secretary General's call for a troop increase. The letter reiterated several other Lebanese requests made the previous December to improve UNIFIL's effectiveness and restore the authority of the Lebanese Government in southern Lebanon.

The Council met in two sessions February 23 and 25, following consultations begun on February 16, to fulfill its commitment in resolution 498 to review the situation within 2 months. On February 25 the Council adopted a resolution by a vote of 13 (U.S.) to 0, with 2 abstentions. The Soviet Union and Poland were the abstainers, continuing the practice of the East European bloc on UNIFIL questions. The resolution approved an immediate increase in UNIFIL strength "from approximately 6,000 to approximately 7,000 troops." The resolution also reemphasized certain principles designed to give UNIFIL the necessary terms of reference for effective implementation of its mandate. (Resolution 501 (1982).)

Ambassador Kirkpatrick expressed U.S. support for the resolution in a statement February 25 following the vote. She noted that the U.S. Government had worked successfully with others to negotiate a resolution acceptable to Lebanon, the UNIFIL troop contributors, Lebanon's neighbors, and all others concerned.

UNIFIL Renewal, June. With UNIFIL's regular 6-months mandate due to expire on June 19, the Security Council met on June 18 to consider the question of renewal. The proceedings were dominated by the warfare then underway in Lebanon following the Israeli invasion launched on June 6, which had overrun UNIFIL's zone of operations and rendered the force's original mandate at least temporarily impossible. The Council had before it a report from the Secretary General covering UNIFIL activities up to June 3, just prior to the invasion, and two addendums to this report covering the subsequent events. The first addendum described the events June 4–10 as seen from the UN's perspective, including the overrunning of UNIFIL's positions. The second addendum contained observations on UNIFIL by the Secretary General.

The Council quickly passed a resolution that had gained general acceptance among Council members in advance consultations. The

resolution, adopted by a vote of 13 (U.S.) to 0, with 2 (Poland, U.S.S.R.) abstentions, highlighted in a preambular paragraph "the need to avoid any developments which could further aggravate the situation and the need, pending an examination of the situation by the Council in all its aspects, to preserve in place the capacity of the United Nations to assist in the restoration of the peace." With this as the conceptual underpinning, the resolution extended UNIFIL's mandate "as an interim measure" for 2 months, i.e., until August 19. It also authorized the force's troops to carry out additional interim tasks in the UNIFIL zone as recommended by the Secretary General in the second addendum to his report, specifically efforts "to extend their protection and humanitarian assistance to the population of the area." (Resolution 511 (1982).)

Immediately after the vote, Ambassador Kirkpatrick spoke for the United States. She explained that the United States had voted

> "to extend this mandate without any extension of responsibilities, functions, or territorial scope because we believe that this course will contribute most directly and clearly to the restoration of the peace and well-being of the area and to the restoration of the authority and sovereignty of the Government of Lebanon."

UNIFIL Renewal, August. The Security Council met on August 17 to renew UNIFIL again. A report of the Secretary General dated August 13 was before the Council recommending a further interim renewal. The report noted that the Lebanese Government wanted UNIFIL to continue operating and to "assist the Lebanese authorities in discharging their responsibilities." In a brief meeting without debate, the Council voted 13 (U.S.) to 0, with 2 (Poland, U.S.S.R.) abstentions to prolong the force's existing mandate for 2 more months, i.e., October 19. The force was authorized to continue carrying out the additional interim functions outlined in the renewal resolution of the previous June. A preambular paragraph provided an underpinning for this renewal in terms similar to, but not exactly the same as, the one in the June resolution. It spoke of "the need, pending an examination by the Council of the situation in all its aspects, to preserve in place the capacity of the United Nations to assist in the restoration of the peace and of the authority of the Lebanese Government throughout Lebanon." (Resolution 519 (1982).)

UNIFIL Renewal, October. The need once again to consider UNIFIL's renewal convened the Security Council on October 18. A report of the Secretary General dated October 14 spoke of difficulties faced by UNIFIL since the Israeli invasion, but nevertheless it recommended a further limited extension of UNIFIL's tenure. The Secretary General said in the report: "I am deeply convinced that the withdrawal of UNIFIL in the present circumstances would have highly undesirable consequences." The report noted that the Lebanese Government wished a 3-month extension.

The only substantive speaker at the October 18 meeting was President Amin Gemayel of Lebanon, then visiting the United States. In an address conveying Lebanon's position in Middle Eastern affairs, he spoke of his Government's concern "that UNIFIL's future be viewed within the framework of the developments since its mandate was originally defined." He highlighted particularly "the need to give the peacekeeping operation greater credibility."

After President Gemayel's speech, the Council voted 13 (U.S.) to 0, with the usual Soviet and Polish abstentions, to renew UNIFIL's existing mandate for 3 months, i.e., until January 19, 1983. An operative paragraph again authorized the force to carry out the additional interim tasks previously authorized, adding that this should be done "with the consent of the Government of Lebanon" and that UNIFIL should also "assist the Government of Lebanon in assuring the security of all the inhabitants of the area without discrimination." (Resolution 523 (1982).)

UNDOF

The mandate of the United Nations Disengagement Observer Force (UNDOF) separating Israel and Syrian forces on the Golan Heights came up for renewal twice during the year. The Security Council renewed the mandate each time routinely without debate.

UNDOF Renewal, May. With UNDOF's mandate due to expire on May 31, the Council met May 26 and voted unanimously to extend the mandate for a further period of 6 months, i.e., until November 30. (Resolution 506 (1982).) As it had done previously, the Council included in the resolution a call "upon the parties concerned to implement immediately Security Council resolution 338 (1973). The Council's President issued a previously agreed upon statement endorsing, on behalf of the Council, a comment in the Secretary General's latest report on UNDOF which described the Middle East situation as likely to remain "potentially dangerous," despite the quiet in the Golan sector, until a comprehensive settlement is reached.

UNDOF Renewal, November. The Council convened on November 29, the day before UNDOF's mandate was due to lapse, and voted unanimously to extend it until May 31, 1983, a further renewal of 6 months. (Resolution 524 (1982).) As before, the resolution called for implementation of resolution 338 (1973). The Council's President issued a complementary statement on behalf of the Council that followed the earlier pattern, drawing again on a comment in the Secretary General's latest report on UNDOF which, as previously, noted the quiet on the Golan Heights but warned of potential dangers in the Middle East situation in the absence of a comprehensive settlement.

GENERAL ASSEMBLY CONSIDERATION

Ninth Emergency Special Session

The General Assembly met in an emergency special session, its ninth gathering of this type, between January 29 and February 5 to consider "The Situation in the Occupied Arab Territories." This session was convened in response to Security Council resolution 500 (1982) of January 28, which had asked the Assembly to consider this matter following Israel's legislation of December 1981 extending Israeli laws, jurisdiction, and administration to the occupied Golan Heights. The Council's request had been made under the "Uniting for Peace" procedure after the United States had vetoed a draft resolution in the Council on the Golan matter January 20.

The Assembly held this emergency session even though the 36th regular session of the Assembly was not concluded. (It had been suspended in December 1981 until a date to be announced.) The Israeli Permanent Representative opposed holding an emergency session in this situation, stating his objection in a letter dated January 28 to the Secretary General which also noted that the 36th regular session had passed a resolution on the same topic.

The emergency session consisted of 12 plenary meetings at which 90 speakers were heard. On February 5, the Assembly voted on a draft resolution introduced by 56 non-aligned and pro-Soviet countries. The draft, strongly condemnatory of Israel, was adopted by a vote of 86 to 21 (U.S.), with 34 abstentions. Most countries in the Western group joined the United States and Israel in opposing the resolution; a number of non-aligned states, especially among the Latin American countries, abstained. (Resolution ES-9/1.)

The resolution contained 11 preambular and 16 operative paragraphs. The preambular provisions, among other things, recalled a 1974 General Assembly resolution defining an act of aggression as including "any annexation by the use of force of the territory of another State or part thereof" and said that "Israel's record and actions establish conclusively that it is not a peace-loving member state and that it has not carried out its obligations under the Charter." The operative sections included the following items:

—A condemnation of Israel "for its failure to comply" with Security Council and General Assembly resolutions of December 1981 on the Golan question.

—A statement deploring "the negative vote by a permanent member of the Security Council" preventing the adoption of Chapter VII measures against Israel.

—Declarations that Israel's Golan Heights law was "an act of aggression" and "a continuing threat to international peace and security," and that the law "is null and void" and must be rescinded.

—A reiteration of the preambular declaration that Israel "is not a peace-loving member state."

—Calls on member states to suspend military and economic assistance to Israel and to sever diplomatic, trade, and cultural ties, and indeed "all dealings" with Israel.

—A call on specialized agencies of the UN system and international institutions "to conform their relations with Israel to the terms of the present resolution."

Ambassador Kirkpatrick presented the U.S. position on this resolution in a speech February 5, delivered shortly before the vote. She called the text "profoundly objectionable to the United States." It would not help to bring peace in the Middle East and would, in fact, "make peace harder to achieve." It sought revenge, not conciliation, and was "unreasonably punitive and ill-suited to accomplishing any constructive purpose." By harming the prospects for peace, the text would undermine the purpose of the United Nations. Ambassador Kirkpatrick reminded the Assembly that the United States had opposed the Israeli legislation concerning the Golan Heights, because the legislation changed unilaterally the international status of that area. She reiterated the U.S. view that the future of the Golan Heights and all the occupied territories could only be determined by negotiations under Security Council resolutions 242 (1967) and 338 (1973). She noted that Israel had recently reaffirmed its readiness to negotiate with Syria over the status of the Golan. Turning to the resolution's paragraph on the negative Security Council vote by a permanent member, the Ambassador objected to this "barely veiled attack on the United States." She concluded by saying that the resolution, when passed, would have no practical effect except to weaken the spirit of moderation and to undermine the *raison d'etre* of the United Nations.

Resumed Seventh Emergency Special Session

When the seventh emergency special session of the General Assembly considering the Palestine issue adjourned on July 29, 1980, it did so "temporarily." This step was taken in accordance with the final operative paragraph of resolution ES-7/2 adopted on that date, in which the Assembly decided to adjourn "temporarily and to authorize the President of the latest regular session of the General Assembly to resume its meetings upon request from member states." No steps were taken to resume the session for over 1½ years. Then, from April to September 1982, four separate resumptions of the "emergency" session took place. These resumptions covered 21 plenary meetings; 6 resolutions were adopted.

April Resumption. In early April 1982, a meeting of the Coordinating Bureau of the Nonaligned Countries in Kuwait decided to request a resumption of the seventh emergency special session. This action led to the convening of the session on April 20.

In a letter dated April 19 addressed to the President of the General Assembly, Ambassador Kirkpatrick conveyed reservations about this resumption of an emergency special session after two regular sessions, two emergency special sessions, and one special session had intervened. She said it seemed clear that the temporary adjournment in 1980 was "to allow for a resumption in the same time frame if events warranted." She said the United States could not see how the word "temporary" could be stretched to include a gap of close to 21 months. The President of the Assembly replied to Ambassador Kirkpatrick in a letter dated April 20. He declared that he considered the resumed session to have been duly convened in accordance with the resolution passed in 1980. While he recognized that the situation was "unprecedented," he believed the legislative history of the 1980 resolution showed clearly that a resumption of the session even after considerable time had passed was anticipated by the sponsors. He cited specifically the use of the phrase "the latest regular session" in the final operative paragraph of that resolution as evidence of this point. Ambassador Kirkpatrick and the President of the Assembly repeated their exchange of views on the Assembly floor April 23.

Ambassador Kirkpatrick also took the occasion of her April 23 declaration to comment on the substantive issues before the session, i.e., the question of Palestine and the increased tensions between Israel and the Arabs. She believed the session was "on its way to creating new, further obstacles to peace." Only negotiations among the parties under Security Council resolutions 242 (1967) and 338 (1973), such as occurred between Israel and Egypt at Camp David, could bring a settlement of the Arab-Israeli conflict. In contrast to this necessary process of bargaining and compromise, the current Assembly session was "one more clear example of a strategy whose goals and tactics are clear: use a United Nations body to make 'official' demands incompatible with Israel's security and survival, so as then to be able to claim that non-compliance with these impossible demands 'proves' Israel an international lawbreaker unworthy of membership in the international community of peace-loving States." This twisting of UN procedures transforms the organization and risks destroying the United Nations itself, the Ambassador concluded.

In 10 plenary meetings April 20–28, the Assembly debated the Palestine issue. Senegal introduced a harshly anti-Israeli draft resolution on April 28 which 25 non-aligned and pro-Soviet states also cosponsored. It was adopted the same day by a vote of 86 to 20

(U.S.), with 36 abstentions. The negative votes came mainly from the Western group; moderate non-aligned countries, especially those in Latin America, made up the bulk of the abstentions. The preambular paragraphs of the resolution, among other things, noted "with regret and concern" that the Security Council had not taken decisions on April 2 and April 20 "as a result of the negative votes of the United States of America." The operative provisions condemned Israel for a series of perceived misdeeds in the occupied territories, condemned assistance to Israel and "the misuse of the veto by a permanent member of the Security Council," and reiterated a provision that the Assembly had adopted in February at the ninth emergency special session by stating that "Israel's record and actions confirm that it is not a peace-loving member state." The Secretary General was asked "to initiate contacts with all parties to the Arab-Israeli conflict in the Middle East, including the Palestine Liberation Organization, the representative of the Palestinian people, with a view to finding concrete ways and means to achieve a comprehensive, just and lasting solution." The final operative paragraph again decided to adjourn the seventh emergency special session "temporarily." (Resolution ES-7/4.)

Ambassador William C. Sherman explained the U.S. negative vote on April 28. Recalling the April 23 speech of Ambassador Kirkpatrick, he said that the resolution represented "still one more example of nations using the mechanisms of peace to promote hostility and divisiveness." Ambassador Sherman noted that Israel had withdrawn from its last occupied locations in Sinai just 3 days earlier, and he regretted that the Assembly's resolution had not only omitted any reference to this act but had even vilified Israel as not peace-loving. Furthermore, the resolution was hostile to the United States by specific reference. Ambassador Sherman upheld the right of the United States under the Charter to vote against measures in the Security Council which it believed would harm the cause of peace.

The Assembly President adjourned the emergency special session "temporarily" on April 28 in accordance with the resolution just adopted.

June Resumption. The seventh emergency special session resumed again on June 25. It held three plenary meetings on that date and on June 26. The Israeli invasion of southern Lebanon, which had occurred earlier in the month, and the ensuing hostilities up to and including Beirut, the Lebanese capital, were the preoccupations of most speakers in the session.

On June 26, the Assembly passed a resolution sponsored by 64 states, mainly non-aligned and pro-Soviet. The vote was 127 to 2 (U.S.), with 0 abstentions. The resolution's preambular paragraphs spoke of "Israel's acts of aggression against the sovereignty of

Lebanon and the Palestinian people in Lebanon." Other preambular provisions reaffirmed the "inalienable national rights" of the Palestinians and the need for participation of the PLO "as the representative of the Palestinian people" in a Middle East settlement. The operative paragraphs demanded strict respect for Lebanon's sovereignty and supported Security Council resolutions 508 (1982) and 509 (1982), which had been adopted a few weeks earlier in an effort to stop the hostilities in Lebanon and secure an immediate Israeli withdrawal. The Assembly's resolution condemned Israel for "noncompliance" with these two Security Council resolutions, and the Assembly demanded compliance by 0600 hours, Beirut time, on June 27. In case of "continued failure by Israel to comply" with the two resolutions, the Security Council was urged to "consider practical ways and means in accordance with the Charter of the United Nations." States and international institutions were called upon to continue providing humanitarian aid to "the victims of the Israeli invasion." The last operative provision decided to adjourn the seventh emergency special session, again "temporarily." (Resolution ES-7/5.)

The U.S. position against the resolution was explained on June 26 by Ambassador Lichenstein shortly before the vote took place. He stressed the deep commitment of the United States to the sovereignty of Lebanon. While recognizing that the resolution before the Assembly reflected "the profound emotional anguish felt by everyone of goodwill" toward the suffering in Lebanon, the United States nevertheless considered it unbalanced and unhelpful. "A just and lasting settlement cannot be achieved by issuing declarations and ultimatums motivated sometimes by vindictiveness and even by hatred," the Ambassador declared.

The Assembly President adjourned the emergency special session "temporarily" on June 26 in accordance with the resolution just adopted.

August Resumption. The seventh emergency special session reconvened August 16–19, holding seven plenary meetings during that period. The crisis in Lebanon was again the focus. Three draft resolutions were introduced by groups of non-aligned and pro-Soviet sponsors, as follows:

—A draft sponsored by 35 states reiterated several provisions of resolution ES-7/5 but added language against Israel's activities in the occupied territories, especially the policy of establishing settlements. Also, an operative paragraph called for Palestinian self-determination and "national independence." Another operative section asked the Secretary General to contact the parties to the Arab-Israeli dispute, "including the Palestine Liberation Organization, the representative of the Palestinian people, with a view of convening an

international conference, under the auspices of the United Nations." The final operative paragraph repeated the idea of an adjournment of the emergency special session "temporarily."

—A draft sponsored by 39 states, called for the convening of an international conference on the question of Palestine at UNESCO Headquarters in Paris August 16–27, 1983. The Secretary General was asked to ensure resources from the regular UN budget for this conference.

—A draft sponsored by 29 states which (as revised shortly after being introduced) had only one operative paragraph designating June 4 each year as "the International Day of Innocent Children Victims of Aggression." A preambular paragraph referred to "the great number of innocent Palestinian and Lebanese children victims of Israel's acts of aggression."

These drafts were all adopted on August 19. The first, on the broad Lebanese and Palestinian issues, by a vote of 120 to 2 (U.S.), with 20 abstentions. (Resolution ES-7/6.) However, prior to the vote on this resolution as a whole a separate vote was taken on operative paragraph 2, the one speaking of Palestinian "national independence"; it passed 107 to 5 (U.S.), with 26 abstentions. The second draft, on the international conference at UNESCO Headquarters, was adopted by a vote of 123 to 2 (U.S.), with 18 abstentions. (Resolution ES-7/7.) The draft on the commemorative day was adopted by a vote of 102 to 2 (U.S.), with 34 abstentions. (Resolution ES-7/8.)

Ambassador Lichenstein outlined the U.S. position on these matters on August 19. He stressed the efforts, then nearing fruition in Lebanon, of President Reagan's special envoy, Ambassador Habib, who had "worked ceaselessly and tirelessly to resolve the crisis." Ambassador Lichenstein also stressed the commitment of the United States to a comprehensive settlement of the Arab-Israeli conflict through a process of negotiations under Security Council resolutions 242 (1967) and 338 (1973). Because of these active commitments and especially because of the desire of the United States "to promote reconciliation and to resist the tendency to interpose new obstacles to the peace process," the United States was voting against the texts presented in this session.

The Assembly President adjourned the emergency special session "temporarily" on August 19 in accordance with resolution ES-7/6, just adopted.

September Resumption. In September, after the start of the 37th regular session, the seventh emergency special session met again. The massacre of Palestinian civilians at the Sabra-Shatila refugee complex in south Beirut was the main focus of this session, which held just one plenary meeting on September 24.

The Assembly voted in that meeting on a draft resolution submitted by 45 mainly non-aligned states. It condemned the massacre

and urged the Security Council to investigate the circumstances and extent of the massacre. It demanded strict respect for the "sovereignty, territorial integrity, unity and political independence of Lebanon." Reiterating an earlier resolution of the seventh emergency special session, it urged the Security Council "to consider practical ways and means in accordance with the Charter of the United Nations" in case of "continued failure" by Israel to comply with Security Council resolutions 508 (1982) and 509 (1982) as well as the present resolution. The final operative paragraph repeated the call for an adjournment of the seventh emergency special session "temporarily."

This draft was adopted by a vote of 147 to 2 (U.S.), with 0 abstentions. (Resolution ES-7/9.) However, the United States first called for a separate vote on the operative paragraph seeking a Security Council investigation of the massacre, and this passed by a vote of 146 (U.S.) to 0, with 0 abstentions. Lebanon called for a separate vote on the operative paragraph demanding respect for Lebanon's sovereignty, which passed 149 (U.S.) to 0, with 0 abstentions. Israel did not participate in the vote on the investigation, but it joined the unanimous vote on Lebanon's sovereignty; it joined the United States in voting against the resolution as a whole.

Ambassador Lichenstein stated the U.S. position on the resolution shortly before the voting took place. Referring to President Reagan's expression of horror a few days earlier over the massacre, the Ambassador emphasized the U.S. commitment to actions that could restore peace to Lebanon and the Middle East. He believed, however, that the text before the Assembly, considered as a whole, was not a means to that end. The United States was voting against the text, he said, because of unacceptable language in some paragraphs; the resolution would "prolong and embitter conflict rather than assist in its resolution." Nevertheless, because the United States was ready to support any Security Council inquiry into the massacre which Council members and the Lebanese Government favored, the U.S. Delegation had asked for a separate vote on the paragraph calling for such an inquiry.

The Assembly President adjourned the emergency special session "temporarily" on September 24 in accordance with the resolution just adopted.

37th Regular Session

Israeli Credentials. The Credentials Committee of the 37th General Assembly issued its first report on October 14. The report indicated that Israel was among 90 members which had submitted credentials in due form. It described discussions held by the Committee, in which questions had been raised about several countries but

not about Israel. The Committee accepted the credentials of the representatives of all the states reviewed, and it recommended that the Assembly approve the Committee's first report.

On October 22 representatives of a group of non-aligned and pro-Soviet states addressed a letter to the President of the Assembly conveying reservations about the credentials of the Israeli delegation. The Arab states were prominent among the letter's signers, who eventually numbered 49. A 50th state later adhered verbally. The letter listed several reasons for the reservations: (1) that Israel had "flagrantly and persistently" violated international law and the UN Charter; (2) that it had defied UN resolutions; (3) that the General Assembly had declared that Israel was not a peace-loving member state of the United Nations, specifically in resolution ES-9/1 of the previous February; (4) that the Israeli credentials were issued in Jerusalem, implying that the Israeli delegation represented the inhabitants of that city and the Golan Heights; and (5) that Israel had invaded Lebanon and committed "genocide" against the Palestinians in Lebanon. The letter did not challenge Israel's credentials but merely stated the views of the signers. The Israeli Permanent Representative rebutted it in a letter that he addressed to the Assembly's President on October 25, calling in "a crude and transparent attempt to abuse the credentials procedure in order to introduce matters completely extraneous and irrelevant to it." He noted that Israel's credentials had been found to be in due form.

The first report of the Credentials Committee as it related to Israel's credentials was debated in two plenary meetings on October 25–26. The Libyan representative, speaking for the Arab group on October 25, placed on record the reservations of those who had signed the October 22 letter. While he believed it was "now high time" to expel Israel from the United Nations, he did not move to do so or to challenge Israel's credentials. He said the Arabs regarded the reservations which he was presenting "as a warning" to Israel.

However, the Iranian Permanent Representative, speaking shortly after the Libyan and apparently action on his own, formally challenged the credentials of the Israeli delegation by proposing an amendment to the draft resolution then before the Assembly by which the first report of the Credentials Committee would be approved. He proposed that words be added to the resolution so that the report would be approved "except with regard to the credentials of Israel."

The Iranian amendment was never voted on. On October 26, the Permanent Representative of Finland, speaking for the five Nordic countries, and after close consultation with the United States and other Western members, formally moved under rule 74 of the General Assembly's rules of procedure that no action should be taken on the Iranian amendment. The Nordic motion was brought to

a vote after very little debate, and was adopted by a vote of 74 (U.S.) to 9, with 32 abstentions. Many Arab states did not participate in the vote. With the challenge to Israel's credentials out of the way, the Assembly then adopted without a vote the original form of the resolution approving the first report of the Credentials Committee.

Situation in the Middle East. The agenda item entitled "The situation in the Middle East," which the 37th General Assembly carried over from previous years, received attention at seven plenary meetings December 6–20. Six resolutions were adopted. The United States voted against two of these texts, abstained on three, and voted in favor of one. The Assembly's consideration proceeded as follows:

—A draft resolution sponsored by 15 members which dealt mainly with the situation in the Golan Heights. It strongly condemned Israel "for its failure to comply" with the Security Council and General Assembly resolutions passed in late 1981 and early 1982 on this issue. It deplored "the negative vote by a permanent member of the Security Council" which kept the Council from adopting measures against Israel under Chapter VII of the Charter. It called Israel's legislation extending its laws, jurisdiction, and administration to the occupied Golan Heights "an act of aggression under the provisions of Article 39 of the Charter" and determined that this "effective annexation" of the Golan was "a continuing threat to international peace and security." It reiterated the view that the Israeli legislation was null and void. It also demanded once more that Israel rescind the legislation. It repeated earlier Assembly determinations that Israel "is not a peace-loving member state" of the United Nations and called again on member states to stop all military, economic, diplomatic, cultural, and other dealings with Israel. UN specialized agencies and other international institutions were asked to conform to these rules. This draft was adopted by the Assembly on December 16 by a vote of 87 to 22 (U.S.), with 31 abstentions. Most Western countries joined the United States in opposing this resolution, and a number of Latin American states were among the abstainers. (Resolution 37/123 A.)

—Seventeen members sponsored a draft reacting to reports "that the Israeli Army, during its occupation of Beirut, seized and took away the archives and documents of every kind concerning Palestinian history and culture." The draft condemned "those acts of plundering" and called on Israel to make "full restitution" through UNESCO. The Assembly passed this draft on December 26 by a vote of 138 to 1, with 4 (U.S.) abstentions. (Resolution 37/123 B.)

—A brief draft sponsored by 15 members deplored the fact that some states had transferred their diplomatic missions to Jerusalem. It called on those states "to abide by the provisions of the relevant United Nations resolutions." The draft cited earlier General Assem-

bly and Security Council resolutions on this topic. It was approved by the Assembly on December 16 by a vote of 137 to 1, with 4 (U.S.) abstentions. (Resolution 37/123 C.)

—A fourth draft sponsored by 16 states strongly condemned the massacre of Palestinian civilians in the Sabra-Shatila refugee complex in the southern outskirts of Beirut. It declared that the massacre was "an act of genocide." The Assembly voted on this draft on December 16. Separate votes were taken on the two paragraphs comprising the operative part of the text, with the result that the paragraph condemning the massacre passed 145 (U.S.) to 0, with 0 abstentions, and the paragraph calling it "genocide" passed 98 to 19 (U.S.), with 23 abstentions. Israel was among those voting in favor of the provision condemning the killings. The countries joining the United States and Israel in opposing the other provision were all Western states; the abstainers in this vote were from various regions. The draft as a whole then passed by a vote of 123 to 0, with 22 (U.S.) abstentions. Israel was among the abstainers. (Resolution 37/123 D.)

—Sponsored by 33 countries including the United States, a draft was submitted which took note in a preambular paragraph of "the decision of the Government of Lebanon calling for the withdrawal from Lebanon of all non-Lebanese troops and forces which are not authorized by the Government to deploy therein," and which called for "strict respect of the territorial integrity, sovereignty, unity and political independence of Lebanon." An amendment was later introduced adding a preambular paragraph "bearing in mind" resolutions 508 (1982) and 509 (1982) that the Security Council had adopted in early June in an effort to head off the escalating Lebanese war. Voting on December 16, the Assembly first passed the amendment by a vote of 140 to 1, with 1 (U.S.) abstention. Israel cast the negative vote. The draft as a whole then passed immediately thereafter by a vote of 145 (U.S.) to 0, with 0 abstentions. Israel voted in favor. (Resolution 37/123 E.)

—A draft sponsored by 12 countries set forth a series of principles on the Arab-Israeli conflict in terms echoing earlier Assembly resolutions. It condemned various perceived Israeli actions and demanded "the immediate, unconditional and total withdrawal" of Israel from the occupied territories. It asked for "the full exercise by the Palestinian people of its inalienable national rights" including the right to establish an independent state in Palestine, and it sought the participation of the PLO in a Middle East settlement. An operative paragraph rejected "all agreements and arrangements insofar as they violate the recognized rights of the Palestinian people and contradict the principles of just and comprehensive solutions to the Middle East problem." (Prior to a last-minute amendment, this paragraph used the phrase "partial agreements and separate treaties" instead of "agreements and arrangements"; the change, prompt-

ed by Egypt, moderated the veiled rebuke to the Camp David accords.) Another operative provision declared that "the agreements on strategic cooperation between the United States of America and Israel signed 30 November 1981 would encourage Israel to pursue its aggressive and expansionist policies and practices." States were asked to stop military and economic aid to Israel "aimed at encouraging it to pursue its aggressive policies." This draft came to a vote in the Assembly on December 20, a delay of several days after the others in this series. It passed by a vote of 113 to 17 (U.S.), with 15 abstentions. Most Western states opposed the resolution along with the United States and Israel. The abstainers were from various regions. (Resolution 37/123 F.)

Ambassador Lichenstein explained the U.S. position on these texts in two statements in the plenary debates of December 16 and 20. He said that the United States approached the resolutions in the light of its commitment to a negotiated peace under Security Council resolutions 242 (1967) and 338 (1973). "To the extent that these resolutions further the goal of peace we support them; to the extent that they deflect us from that goal or widen the gap between the parties to the conflict we oppose them." The two resolutions which we voted against, the Ambassador declared, were full of reckless condemnations and rhetoric contributing nothing to the cause of peace. The Ambassador noted, however, that language implicitly criticizing the Camp David process was altered before being voted upon. The United States welcomed this sign of moderation but rejected the ambiguous innuendo that remained in the amended language. As for the resolutions on which the United States abstained, Ambassador Lichenstein made the following points: (1) the resolution on Israel's seizing of Palestinian archives in Beirut presented charges about which the Assembly is not in a position to know the complete facts; (2) the resolution on diplomatic missions in Jerusalem cited an earlier Security Council resolution on which the United States had abstained and which, in the U.S. view, had made a non-binding request to states; and (3) the United States unreservedly supported the provision condemning the Sabra-Shatila massacre but considered the provision calling it "genocide" to be a reckless use of language cheapening the tragic event. Finally, the resolution which the United States supported reaffirmed Lebanon's sovereignty and the United States was pleased to be a sponsor. Ambassador Lichenstein explained the U.S. abstention on the amendment concerning Security Council resolutions 508 (1982) and 509 (1982) by noting that those two resolutions were "pertinent to the situation that gave rise to them in June of this year" but were "irrelevant to the present situation."

Question of Palestine. Carried over from previous years, the agenda item entitled "Question of Palestine" occupied the Assem-

bly's attention at eight plenary meetings between November 30 and December 20. Five draft resolutions were introduced, and all were adopted by large majorities. The United States voted against all of these texts. The vote took place as follows:

—Senegal introduced a draft on December 2 which eventually had 21 sponsors. It expressed appreciation for the efforts of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, established by the Assembly in 1975, and it authorized the Committee to continue its work. This draft was adopted December 10 by a vote of 119 to 2 (U.S.), with 21 abstentions. (Resolution 37/86 A.)

—Senegal introduced another draft on December 2 which had 21 sponsors. It asked the Secretary General to ensure that the Division for Palestinian Rights in the Secretariat continued to discharge its mandated tasks, and it noted "with appreciation" that some member states had taken steps to observe November 29 annually as the "International Day of Solidarity with the Palestinian People." The Assembly adopted this text December 10 by a vote of 121 to 3 (U.S.), with 18 abstentions. (Resolution 37/86 B.)

—A third draft, introduced by Senegal on December 2, gathered 22 sponsors. It endorsed preparations made for the International Conference on the Question of Palestine that the Assembly had previously authorized to be held in Paris August 16–27, 1983. This draft was adopted December 10 by a vote of 123 to 2 (U.S.), with 17 abstentions. (Resolution 37/86 C.)

—Malta introduced a draft on December 10. It had 22 sponsors. Its operative provisions set forth general principles for solving the Palestinian problem, specifically: (1) the inadmissibility of acquiring territory by force; (2) the need for "the unconditional withdrawal of Israel from the Palestinian and other Arab territories occupied since 1967, including Jerusalem"; and (3) the right of the Palestinians to self-determination and "to establish its independent Arab state in Palestine." The Assembly adopted this text the same day it was introduced, December 10, by a vote of 113 to 4 (U.S.), with 23 abstentions. (Resolution 37/86 D.)

—A draft introduced by Senegal on December 2 and reintroduced in revised form, also by Senegal, on December 20 collected 25 sponsors. As revised, it included the following principles in its operative paragraphs for a solution to the Palestinian problem: (1) the right of the Palestinian people to self-determination and "the right to establish, once it so wishes, its independent state in Palestine"; (2) the belief that all Israeli policies aimed at "annexation" of the occupied territories violate international law; (3) the demand that Israel should withdraw completely and unconditionally from the occupied territories; and (4) the need for a comprehensive and just peace under UN auspices, "in which all parties concerned,

including the Palestine Liberation Organization, the representative of the Palestinian people, participate on an equal footing." A preambular paragraph recalled other principles said to be "accepted by the international community," which included "the right of all states in the region to existence within internationally recognized boundaries, and justice and security for all the peoples, which requires recognition and attainment of the legitimate rights of the Palestinian people." This text was adopted by the Assembly on December 20 by a vote of 123 to 2 (U.S.), with 19 abstentions. (Resolution 37/86 E.)

The United States delivered two statements of its position in these debates. The first was given by Ambassador Sherman on December 10, the day that four of the five resolutions were adopted. He said that the debates and the texts have "repeated language which, however satisfying to the speaker in rhetorical resonance, is clearly unacceptable to one or more of the interested parties." This can only solidify animosities. The Ambassador did take note of changes from the corresponding texts of earlier years which showed some effort at accommodation, and he expressed appreciation for this hopeful start toward moderation. For example, he welcomed the reference in what later became resolution 37/86 E to the right of existence and security for all states in the region, and to justice, and security for all the peoples. Nevertheless, he felt that this resolution and resolution 37/86 D took "a one-sided, inflexible position." As for the other three texts, he said they supported "three entities of recent creation whose functions appear to contribute not to solutions to the complex problems of the area but to increasing the level of solution-inhibiting acrimony." The Ambassador made it clear that the United States looked with strong disfavor on the Assembly's Committee on the Exercise of the Inalienable Rights of the Palestinian People, the Secretariat's Division for Palestinian Rights, and the projected International Conference on the Question of Palestine.

Ambassador Lichenstein supplemented the above views on December 20, just after resolution 37/86 E was passed. He declared that the United States supported the peace process looking toward a comprehensive Middle East settlement, but he stressed that this support is for "the whole peace process—not selectively, not piece-by-piece, not this element rather than that" as in the text adopted. The Ambassador reiterated that the United States welcomed the inclusion of language in the resolution recognizing the right of all states in the region to existence within recognized boundaries.

Israeli Practices in the Occupied Territories.. The 37th regular session of the General Assembly included an agenda item from the previous regular session called "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the

Population of the Occupied Territories." In accordance with past procedure, this item was allocated to the Special Political Committee, which considered the topic in 10 meetings November 23–December 3. The Committee passed seven resolutions, recommending their adopting by the plenary in a report dated December 6. All seven were adopted by the plenary on December 10. The United States abstained on five of the texts and voted against the other two.

The Special Political Committee's discussion of these resolutions concluded with voting on all of them during its meeting on December 3. The Committee's consideration proceeded as follows:

—Pakistan introduced a draft resolution which reaffirmed in its first operative paragraph that the Fourth Geneva Convention of 1949[5] "is applicable to Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem." The next operative paragraph condemned "the failure of Israel as the occupying power to acknowledge the applicability of that Convention." The resolution demanded that Israel acknowledge the applicability of the Convention and comply with it. Nine countries joined Pakistan in sponsoring this draft. In the Committee's vote on the draft, operative paragraph 1 was voted on separately at U.S. request. It was adopted 99 (U.S.) to 1, with 0 abstentions. The resolution as a whole then passed by a vote of 103 to 1, with 1 (U.S.) abstention. Israel cast the negative vote in each case.

—Pakistan also introduced a draft with the same nine cosponsors deploring Israel's "persistence" in carrying out actions "designed to change the legal status, geographical nature and demographic composition" of the occupied territories, particularly the establishment of settlements. The draft called such measures a violation of the Fourth Geneva Convention and a "serious obstruction" to peace, and therefore without legal validity. It demanded that Israel desist in such activities. The Committee adopted this draft by a vote of 104 to 1, with 1 (U.S.) abstention. The negative vote was cast by Israel.

—Bangladesh with 10 other sponsors submitted a draft resolution. Several of its operative provisions sought to support the work of the Assembly's Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, often in language critical of Israel in its relationship with the Committee. Other provisions were direct attacks on Israel, one of them calling the occupation itself a "grave violation" of the human rights of the inhabitants of the territories and another listing 14 alleged Israeli practices deemed worthy of attack. The sixth operative paragraph declared that "Israel's grave breaches of the Geneva Convention are war crimes and an affront to humanity." The 16th

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[5] Convention Relative to the Protection of Civilian Persons in Time of War; done at Geneva, August 12, 1949; entered into force for the United States February 2, 1956.

operative paragraph asked the Security Council to "initiate measures to halt Israeli policies and practices" in the territories. The voting on this draft involved three separate tallies. Operative paragraph 6 was voted on individually and passed 72 to 18 (U.S.), with 14 abstentions. Most of the Western countries opposed this provision. Likewise, operative paragraph 16 received a separate vote, passing 83 to 17 (U.S.), with 7 abstentions. Again, most Western countries were opposed. The draft as a whole was then approved by a vote of 85 to 2 (U.S.), with 22 abstentions. The Western members generally abstained in this overall tally.

—Bangladesh and nine other sponsors introduced a draft resolution expressing concern at Israel's expulsion of the mayors of Hebron and Halhul and the Sharia judge of Hebron in 1980. The draft demanded that Israel facilitate the return of these Palestinian leaders. In the voting on December 3, the Committee passed this draft 109 to 1, with 1 (U.S.) abstention. The negative vote was Israel's.

—Bangladesh with the same nine cosponsors introduced a draft concerning the Golan Heights. This text strongly condemned Israel for its December 1981 legislation extending Israeli laws, jurisdiction, and administration to the Golan occupation zone and for its refusal to rescind the legislation. Other Israeli actions in the Golan region were also condemned. This draft was approved by the Committee by a vote of 109 to 1, with 2 (U.S.) abstentions. Israel cast the single opposition vote.

—India, representing itself and nine others, introduced a draft resolution condemning what were seen as harmful Israeli policies and practices against schools and students in the occupied territories. The actions condemned included closing universities, subjecting the choice of textbooks and the admission of students and the appointment of faculty members to the military occupation authorities, and "opening fire on defenseless students." Israel's policies in this field were said to be a clear contravention of the Fourth Geneva Convention. The Committee passed this resolution by a vote of 88 to 2 (U.S.), with 22 abstentions. The abstentions were cast largely but not exclusively by Western countries.

—With Afghanistan taking the lead for itself and nine other sponsors, a resolution was introduced expressing concern that Israel had not for 2 years apprehended and prosecuted the perpetrators of assassination attempts against the mayors of Nablus, Ramallah, and Al Bireh. Rounding out its voting on December 3, the Committee adopted this resolution by a vote of 112 to 1, with 1 (U.S.) abstention. Israel cast the negative vote.

The December 10 voting on these texts in the plenary generally followed the pattern established in the Special Political Committee.

However, the United States did not repeat the request it had made in the Committee for a separate vote on operative paragraph 1 of the resolution covering the Fourth Geneva Convention. The United States merely recorded its abstention in this resolution as a whole, although the U.S. policy supporting the applicability of the Convention to the occupied territories had not changed. The following results emerged in the plenary voting:

—The resolution on the Fourth Geneva Convention was adopted by a vote of 134 to 1, with 1 (U.S.) abstention. (Resolution 37/88 A.)

—The resolution on the status and character of the occupied territories also was adopted by a vote of 134 to 1, with 1 (U.S.) abstention. (Resolution 37/88 B.)

—The resolution containing the omnibus criticisms of Israel was adopted by a vote of 112 to 2 (U.S.), with 21 abstentions. This vote came after a separate vote on operative paragraph 6 speaking of "war crimes," which passed 93 to 20 (U.S.), with 20 abstentions, and a separate vote on operative paragraph 16 asking for Security Council measures, which passed 107 to 19 (U.S.), with 9 abstentions. (Resolution 37/88 C.)

—The resolution on Israel's expulsion of the Palestinian leaders was adopted by a vote of 133 to 1, with 1 (U.S.) abstention. (Resolution 37/88 D.)

—The resolution concerning the Golan Heights was adopted by a vote of 133 to 1, with 2 (U.S.) abstentions. (Resolution 37/88 E.)

—The resolution on schools and students in the occupied territories was adopted by a vote of 110 to 2 (U.S.), with 24 abstentions. (Resolution 37/88 F.)

—The resolution on the assassination attempts was adopted by a vote of 134 to 1, with 1 (U.S.) abstention. (Resolution 37/88 G.)

The United States explained its votes on these matters in the Special Political Committee on December 3. Ambassador Lichenstein described the specific U.S. reaction to each of the resolutions: (1) The U.S. Government regarded the Fourth Geneva Convention as an important international instrument which must be applied to all situations of war or military occupation, and therefore the United States asked for a separate vote on the paragraph declaring the Convention's applicability to the occupied territories and voted in favor of that paragraph. As for the phrase "Palestinian and other Arab territories occupied by Israel since 1967, including Jerusalem" in that paragraph, this was purely a demographic and geographic description without implications of sovereignty. Because the rest of this resolution was a ritualistic condemnation of Israel, the United States abstained on the resolution as a whole. (2) The resolution on the status of the occupied territories, on which the United States

abstained, unfortunately embarked on the sterile debate of whether Israeli settlements were legal or illegal. This diverted attention from the basic issue of whether these settlements promoted or hindered peace. The U.S. Government believed a freeze on Israeli settlements in the occupied territories would build confidence and thus enable the peace process to move forward. (3) The United States voted against the resolution containing omnibus charges against Israel because it was severely biased and polemical. Also, the U.S. Government opposed the substantial costs (estimated at $324,000) envisaged for the work of the Special Committee to Investigate Israeli Practices. (4) The United States believed the expulsion of the Palestinian leaders had been unwise but not illegal, and that the leaders should be allowed to return to their homes. The United States therefore abstained on this resolution. (5) While the United States supported the Security Council resolution of December 1981 declaring the Israeli legislation on the Golan Heights to be null and void, the resolution currently before the Assembly contained language which the United States could not support. The U.S. Delegation therefore abstained. (6) The resolution on the schools and students contained a harsh attack on Israel, and so the United States voted against this resolution. Nevertheless, recent aspects of Israeli policy toward academic institutions in the occupied territories were open to valid criticism. The U.S. Government had condemned restrictions imposed on the academic freedom of certain university faculty members. (7) The United States was very concerned about the assassination attempts against the mayors and hoped the perpetrators would be brought to justice as soon as possible. The U.S. Delegation, however, abstained on this resolution because it implied, without justification, that the Israeli Government was not making every effort to arrest and prosecute the culprits.

Armed Israeli Action Against Iraqi Nuclear Installations. Israel's raid on the Iraqi nuclear reactor near Baghdad in June 1981 prompted Iraq to request inscription of the item on the agenda of the 36th General Assembly that autumn, and it was carried over to the 37th General Assembly in 1982. The 37th Assembly considered the topic in two plenary meetings on October 29 and in one plenary meeting on November 17. On the latter date, the Assembly passed a resolution on the subject by a vote of 119 to 2 (U.S.), with 13 abstentions. (Resolution 37/18.)

The resolution adopted was sponsored by 31 states, largely Arab countries, with other non-aligned participation. It underwent revisions during the period of Assembly debate. As finally voted on, it contained several condemnations of Israel and made some proposals. The first operative paragraph condemned "Israel's refusal to implement resolution 487 (1981), unanimously adopted by the Security Council." (That Security Council resolution, passed shortly after the

Israeli raid, had condemned the attack and had called on Israel to refrain from such actions in the future. It also had asked Israel to place its nuclear facilities under IAEA safeguards.) The Assembly's resolution then condemned "Israel's threats to repeat such attacks" and asked the Security Council "to consider the necessary measures to deter Israel from repeating such an attack." A further provision called for continued consideration of international legal measures "to prohibit armed attacks against nuclear facilities and threats thereof." The resolution also requested the Secretary General to prepare, with expert assistance, a study on the consequences of Israel's raid and to submit the study to the 38th General Assembly.

Senator J. Bennett Johnston, a member of the U.S. Delegation, explained the U.S. negative vote in a statement to the plenary on November 17. The Israeli attack on the Baghdad nuclear facility had occurred a year and a half earlier, he noted, and the Security Council had taken "prompt and appropriate action." Futile discussions in the Assembly on the issue which end in unenforceable resolutions do nothing for the cause of peace. The resolution does not exhibit the required qualities of restraint and compromise. "Instead of seeking to heal, it simply reopens wounds." Furthermore, he concluded, by calling for ill-defined studies at a large estimated cost, it does not contribute to the fiscal integrity of the United Nations.

Israel's Projected Canal Linking the Mediterranean Sea to the Dead Sea. In accordance with a resolution passed during the 36th General Assembly in 1981, an item was inscribed on the agenda of the 37th General Assembly entitled "Israel's Decision to Build a Canal Linking the Mediterranean Sea to the Dead Sea." This item was allocated to the Special Political Committee, which considered it in four meetings December 7–9.

Seven states sponsored a resolution which Jordan submitted to the Special Political Committee on December 9. This was a revision of an earlier draft. A preambular paragraph expressed the belief that the proposed canal, reportedly to be built partly through the Gaza Strip, would affect the interests of the Palestinian people. Another preambular paragraph declared that, if built by Israel, the canal would cause "direct, serious and irreparable damages" to Jordan. The operative provisions called the project, if built, a violation of international law and demanded that Israel "not construct this canal." States and international organizations were called upon to refrain from helping Israel with the project, and corporations were urged to do the same. The Secretary General was asked to assess, on a continuing basis and with expert assistance, the "adverse effects" on Jordan and the occupied territories arising from the project.

The Special Political Committee approved this draft resolution on December 9 by a vote of 101 to 2 (U.S.), with 2 abstentions. This result was confirmed in plenary on December 16 by a vote of 139 to 2 (U.S.), with 1 abstention. (Resolution 37/122.)

Mr. Michael J. Davis explained the U.S. position in a statement to the Special Political Committee on December 9. He stressed that the United States was strictly neutral regarding the legal, environmental, and economic aspects of the project while it remained in the prefeasibility stage. The United States supported negotiations between the parties as the way to settle their differences. Since the resolution criticized Israel for a decision which the United States understood had not yet been made, the United States could not support the resolution. The concerns expressed in the resolution were at best premature.

UN Relief and Works Agency for Palestinian Refugees in the Near East

The Special Political Committee met 11 times between November 9–December 6 to discuss UNRWA. The Committee took into consideration the report of the Commissioner General of UNRWA, reports of the Secretary General concerning Palestinian refugees, the report of the Working Group on the Financing of UNRWA, and the report of the UN Conciliation Commission for Palestine (PCC).[6] On December 3, the Committee approved 11 draft resolutions all of which were adopted in the plenary Assembly on December 16. The United States supported four of the resolutions, dealing with UNRWA finances and refugee assistance, including student scholarships.

In his address before the Committee, the Commissioner General of UNRWA, Olof Rydbeck, outlined UNRWA's accomplishments and also the obstacles and difficulties of assisting Palestinian refugees in Lebanon in the wake of the turmoil there. Citing the massacre of refugees in Sabra and Shatila in September, he expressed concern over the security of Palestinian refugees living in camps. Mr. Rydbeck regretted the military training that had taken place for 2 years in the UNRWA Siblin Training Center and outlined measures UNRWA had taken to end such activity and prevent its recurrence. Mr. Rydbeck said UNRWA would phase out the basic food ration program (except in Lebanon) to allow the agency to concentrate its limited financial resources on education and health, the need for food rations no longer existing. He called for donors to convert in-kind contributions into cash so that program improvements could be made. The Commissioner General reiterated an appeal for more funds for the regular and emergency programs, citing a projected budget deficit of $43.5 million.

On November 18, the Netherlands introduced a draft resolution entitled, "Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East."

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[6] The PCC was established by the General Assembly in resolution 194 (III), adopted December 11, 1948; its members are France, Turkey, and the United States.

This resolution, commending the work and extending the mandate of the Working Group on UNRWA financing, was approved in Committee and adopted in plenary without a vote. (Resolution 37/120 A.)

Also on November 18, Sweden introduced a resolution, "Assistance to persons displaced as a result of the June 1967 and subsequent hostilities." The resolution, endorsing the efforts of the Commissioner General to provide relief services to Palestinians displaced by war, was adopted without a vote both in Committee and the plenary. (Resolution 37/120 B.)

Egypt introduced a resolution on December 1 entitled "University of Jerusalem for Palestine Refugees," calling for establishment of a university for Palestinian refugees in Jerusalem, fellowships, and creation of a voluntary fund to finance the proposed university. It urged Israel "as the occupying power," to "remove hindrances which it has put in the way" of establishing the university. The United States opposed the draft resolution on grounds that it was an unreasonable and unworkable approach to the higher education needs of Palestinian refugees. The Committee approved the draft resolution by a vote of 114 to 2 (Israel, U.S.), with 0 abstentions. It was adopted in plenary by a vote of 141 to 2 (Israel, U.S.), with 0 abstentions. (Resolution 37/120 C.)

Also on December 1, Egypt introduced a draft resolution entitled "Offers by member states of grants and scholarships for higher education, including vocational training, for Palestine refugees." It appealed to states, specialized agencies, and private organizations to increase special contributions for scholarships and grants. It also urged contributions to Palestinian universities and for vocational training centers. The resolution passed in Committee by a vote of 114 (U.S.) to 0, with 1 (Israel) abstention. The plenary adopted the resolution by a vote of 143 to 0, with 1 (Israel) abstention. (Resolution 37/120 D.)

Pakistan introduced a draft resolution on December 1, "Palestine refugees in the Gaza Strip." It demanded that the "Israeli occupying authorities" cease "their policy of demolishing on punitive grounds shelters occupied by refugee families" and also halt resettling refugees from the Gaza Strip. The United States opposed the resolution because of its harsh and condemnatory tone against Israel. The Committee approved the draft by a vote of 114 to 2 (Israel, U.S.), with 0 abstentions. It was adopted in plenary by a vote of 143 to 2 (Israel, U.S.), with 0 abstentions. (Resolution 37/120 E.)

Pakistan, also on December 1, introduced a draft resolution, "Resumption of the ration distribution to the Palestinian Refugees," which requested the UNRWA Commissioner General to resume on a continuing basis and as soon as possible the interrupted general ration distribution to Palestinian refugees in all fields. The United States opposed this resolution because, as the Commissioner General

had made clear in his report, the real need for general ration distribution had ended and its financing adversely affected other higher priority UNRWA activities. The resolution, passed in the Committee by a vote of 94 to 13 (U.S.), with 9 abstentions, was adopted in the plenary Assembly by a vote of 121 to 13 (U.S.), with 10 abstentions. (Resolution 37/120 F.)

A resolution entitled, "Population and refugees displaced since 1967," was introduced on December 1 by Bangladesh. It reaffirmed the right of persons displaced since 1967 to return to their homes, condemned Israel for failing to comply with this right, and called on Israel to "desist from all measures that obstruct the return of the displaced inhabitants." The United States opposed this resolution because it was considered to be oversimplistic, one sided, and polemical in tone. It was approved in the Committee by a vote of 97 to 2 (Israel, U.S.), with 9 abstentions. The plenary adopted the resolution by a vote of 126 to 2 (Israel, U.S.), with 19 abstentions. (Resolution 37/120 G.)

Bangladesh, also on December 1, introduced a draft resolution, "Revenues derived from Palestine refugees properties," which, *inter alia*, called on the Secretary General, in consultation with the PCC, to take measures to protect and administer Arab property and assets in Israel and to establish a fund for the receipt of income derived from the properties. The United States opposed the resolution because it prejudged issues of refugee repatriation and compensation which the United States believed should be settled through negotiation. The resolution, approved in Committee by a vote of 95 to 2 (Israel, U.S.), with 21 abstentions, was adopted in the plenary by a vote of 121 to 2 (Israel, U.S.), with 24 abstentions. (Resolution 37/120 H.)

On December 1, Pakistan introduced a draft resolution entitled, "Special identification cards to all Palestine refugees." This resolution requested the Secretary General, in cooperation with the UNRWA Commissioner General, to issue identification cards to all Palestinian refugees and their descendants, whether or not they are the recipients of UNRWA rations and services. The United States opposed this ill-drawn resolution because it could involve all Palestinians worldwide, a potentially expensive (the UN initial estimate was $10 million) and legally complicated process. The resolution was approved in the Committee by a vote of 83 to 16 (U.S.), with 16 abstentions. It passed in the plenary by a vote of 106 to 16 (U.S.), with 20 abstentions. Lebanon rejected it, the first time an Arab state had voted against an UNRWA resolution. (Resolution 37/120 I.)

Pakistan introduced a draft resolution on December 1 called, "Protection of Palestinian refugees," which urged the Secretary General to take measures to guarantee the safety, security, and legal

and human rights of Palestinian refugees; called on Israel to release Palestinian detainees, including UNRWA employees and to cease interfering with UNRWA services in Lebanon; urged UNRWA to rehouse Palestinian refugees in Lebanon whose houses were razed by the Israelis; and requested UNRWA to prepare a report on the damages to refugee property and UN facilities in Lebanon "as a result of the Israeli aggression." The United States opposed the resolution because it raised the problem of what kind of effective measures the Secretary General might take to guarantee refugee safety and rights, and which refugees would qualify. There was also concern that similar charges of detentions, razings of homes, and hindering of UNRWA services could be made in general debate against the Government of Lebanon. The Committee approved this resolution by a vote of 97 to 2 (Israel, U.S.), with 16 abstentions. It was adopted in plenary Assembly by a vote of 127 to 2 (Israel, U.S.), with 16 abstentions. (Resolution 37/120 J.)

On December 1, the United States introduced a draft resolution entitled, "Assistance to Palestine refugees." As in past years, the resolution, *inter alia*, (1) noted with regret that the repatriation or compensation to refugees as provided for in General Assembly resolution 194 (III) had not been carried out, nor substantial progress made toward either repatriation or resettlement and that, therefore, the situation of the refugees continued to be a matter of concern; (2) noted that the level of income of UNRWA, although increased due to the efforts of the Commissioner General, was still insufficient to cover essential budget requirements and urged all governments to cooperate in conbributing to the needs of UNRWA; and (3) called for UNRWA's Headquarters to be "relocated to its former site within its areas of operations as soon as practicable."

In introducing this resolution, Ambassador Lichenstein noted the valuable role UNRWA has played over the years in meeting the needs of Palestinian refugees and the continuing urgent need for emergency services in Lebanon. He announced the U.S. pledge to UNRWA of $14.5 million to help meet the added costs arising from the Lebanon emergency and commended others for their added contributions. He regretted instances of PLO misuse of UNRWA facilities, specifically at Siblin, and said the United States was withholding certain payments to the Agency pending an investigation by the Commissioner General (payments were subsequently resumed following the release of results of the investigation and the receipt of assurances that the Agency was taking steps necessary to prevent a recurrence of such abuses of UNRWA facilities). The draft resolution was approved by the Committee by a vote of 111 (U.S.) to 0, with 1 (Israel) abstention. It was adopted in the plenary Assembly by a vote of 144 (U.S.) to 0, with 1 (Israel) abstention. (Resolution 37/120 K.)

Kampuchea

CREDENTIALS AT THE GENERAL ASSEMBLY

For the fourth consecutive year, the General Assembly rejected by an increased margin a Vietnamese-inspired challenge to the UN seat of Democratic Kampuchea, which at the 37th General Assembly was represented for the first time by a coalition government headed by Prince Norodom Sihanouk. The 37th session, on October 25, voted down a Lao amendment to the report of the Credentials Committee, also sponsored by Vietnam, Cuba, India, and others, which would have reversed the Committee's decision to approve Democratic Kampuchea's credentials. The amendment failed by a vote of 29 to 90 (U.S.), with 26 abstentions.

Before the vote, Prince Sihanouk, President of Democratic Kampuchea, delivered a speech in which he contrasted his coalition government, formed in mid-1982, which he said enjoyed the support of the Kampuchean people, with the Heng Samrin regime maintained by "Vietnamese bayonets." He added:

> Our Resistance combatants are fighting not only for the independence and freedom of our country; they are fighting also, with a spirit of self-sacrifice which I wish to emphasize, to prevent other demographically and militarily weak countries—and not necessarily countries of the third world—from falling under the domination of more powerful annexationist neighbors.

The U.S. explanation of vote, delivered by Ambassador Kirkpatrick, noted that the U.S. Government supported Democratic Kampuchea's credentials on technical grounds and in the absence of a superior claimant. She stressed that the United States disassociated itself from the gross human rights abuses of the Khmer Rouge. She added:

> We welcome the participation of Prince Sihanouk and Prime Minister Son Sann in the deliberations of the General Assembly. We have been impressed with the response given to this new leadership by the Khmer people, who have an alternative to the grim choice between the Khmer Rouge and a regime imposed by Vietnam. The inauguration of the Coalition also constitutes a major step in implementing the General Assembly's basic policy for a resolution of the Kampuchean crisis, that embodied in the Declaration of the International Conference on Kampuchea, held in July 1981, and in General Assembly resolutions 34/22, 35/6, and 36/5.

GENERAL ASSEMBLY CONSIDERATION

Each year since the Vietnamese invasion of Kampuchea in late 1978 the General Assembly has passed by increased majorities a

resolution calling for total withdrawal of foreign forces, self-determination by the Khmer people, and aid to Khmer refugees. The resolution is introduced each year by members of the Association of Southeast Asian Nations (ASEAN), comprising Indonesia, Malaysia, the Philippines, Thailand, and Singapore. The resolution adopted by the 37th General Assembly on the situation in Kampuchea reaffirmed previous resolutions 34/22, 35/6, and 36/5 and called for their full implementation; reiterated the conviction

> . . . that the withdrawal of all foreign forces from Kampuchea, the restoration and preservation of its independence, sovereignty, and territorial integrity, the right of the Kampuchean people to determine their own destiny and the commitment by all states to non-interference and non-intervention in the internal affairs of Kampuchea are the principal components of any just and lasting resolution to the Kampuchea problem.

The resolution also termed the Declaration of the International Conference on Kampuchea, held at UN Headquarters in July 1981, as "the negotiating framework for a comprehensive political settlement of the Kampuchea problem." (The Conference's *Ad Hoc* Committee made three separate trips to France, Belgium, and West Germany; Thailand; and Sweden and Austria to promote the objectives of the Conference during 1982.) The resolution was adopted on October 28 by the largest majority yet, 105 (U.S.) to 23, with 20 abstentions. (Resolution 37/6.)

In the U.S. statement October 27, Ambassador Sherman decried Vietnam's aggression against a smaller, weaker neighbor; its installation and maintenance of a puppet regime in Phnom Penh; and the suffering and hardships this aggression has imposed upon both the Khmer and Vietnamese peoples. He praised the efforts of governments and UN agencies, particularly the UNHCR, in assisting Khmer refugees; welcomed the presence of Prince Sihanouk and Prime Minister Son Sann; and called for a settlement based on the resolution.

In recent years, Vietnam has introduced an item for debate in the General Assembly entitled, "Question of peace, stability and cooperation in Southeast Asia" which addressed regional security concerns and avoids directly addressing the Kampuchea problem. Lack of broad support, however, has compelled Vietnam not to submit the item formally as a resolution subject to amendment and vote.

Afghanistan

The 37th General Assembly was the fourth session of the General Assembly since the 1979 Soviet invasion of Afghanistan to pass, by a large majority, a resolution calling for a political solution to the Afghanistan problem, including the complete withdrawal of for-

eign—Soviet—troops. The resolution, sponsored by Pakistan and other non-aligned states, was adopted on November 29 by a vote of 114 (U.S.) to 21, with 13 abstentions.

The resolution, "The situation in Afghanistan and its implications for international peace and security," was very similar to the three previous resolutions on Afghanistan, which passed by similar large majorities. It outlined four major elements for an Afghanistan settlement: (1) withdrawal of foreign troops, (2) restoration of an independent and non-aligned Afghanistan, (3) the right of self-determination for the Afghan people, and (4) the right of Afghan refugees to return with safety and honor. The resolution called on the Secretary General to continue the efforts launched under the 1980 Assembly resolution to seek a political solution based on these principles. UN Secretary General Perez de Cuellar, who served as former Secretary General Waldheim's representative for an Afghanistan settlement before this appointment, appointed Under Secretary General for Special Political Affairs, Diego Cordovez, as his personal representative for Afghanistan negotiations. Mr. Cordovez arranged indirect talks in Geneva between Pakistan and the Kabul regime in June.

On November 24 Ambassador Kirkpatrick delivered a strong U.S. statement highlighting human rights abuses on the part of the Soviet occupiers and Afghan authorities and calling for Soviet compliance with General Assembly resolutions on Afghanistan. She stated:

> The resolution before us today offers an honorable course for ending the Afghanistan crisis. Its objective is a peaceful, negotiated settlement leading to the withdrawal of Soviet forces; the restoration of Afghan self-determination, independence, and nonalignment; and the return of the refugees to their homeland. By adopting this resolution, the UN General Assembly will be impressing on the Soviets the necessity to negotiate an end to their misadventure. Hopefully, this will speed the day when real negotiations on a settlement can begin.

Ambassador Kirkpatrick added that "if the Soviets truly desire to negotiate, they must come forward quickly or the rest of the world will be forced to conclude that they have no serious interest in reaching a settlement."

South African Policies of Apartheid

SECURITY COUNCIL

The Security Council met on five occasions during 1982 to consider questions relating to South Africa.

On April 8, 1982, the Representative of Uganda requested in a letter to the President of the Security Council that the Council consider the death sentences imposed and upheld recently by a South

African appellate court on three African National Congress (ANC) members found guilty of high treason: Messrs. Lubisi, Manana, and Mashigo. The Council met on April 9 to consider a draft resolution which expressed concern that carrying out the death sentences would further aggravate the situation in South Africa, called upon South African authorities to commute the death sentences, and urged all states and organizations to use their influence and to take urgent measures to save the lives of these three young men. The resolution was adopted by a vote of 15 to 0, with 0 abstentions on the same day. (Resolution 503 (1982).) In his statement, the U.S. Representative, Ambassador Lichenstein, said that the United States supported the resolution for the same reasons that the United States and others should be concerned "for the people of Poland, who are being deprived of human rights, and the people of Afghanistan, of Kampuchea, and unhappily, of a very long list of other countries in every part of the world."

On September 20, 1982, the Chairman of the Special Committee Against Apartheid, in a letter to the Secretary General drew attention to the cases of Messrs. Mogoerane, Mosololi, and Motaung, and asked the Secretary General to bring the cases of these three men, who were sentenced to death by a South African court for high treason, to the attention of the Security Council and the General Assembly. Following consultations, the President of the Council issued a statement on October 4 which expressed grave concern over the death sentences passed on these three men and urged the Government of South Africa to commute the sentences.

On December 7, the Security Council unanimously adopted another resolution concerning the death sentences passed on August 11 in South Africa against Messrs. Tsotsobe, Shabangu, and Moise. (Resolution 525 (1982).) The resolution noted the Council's grave concern over the confirmation of the Appellate Division of the South African Supreme Court of the death sentences. It called on South Africa to commute the sentences and urged all states and organizations to take urgent measures, in conformity with the Charter, to save the lives of these three men as well as the lives of the three South Africans whose situation was addressed in the Security Council President's statement of October 4.

On December 9, 1982, the Charge d'Affaires of Lesotho, in a letter to the President of the Council, transmitted to the Council a message from the Lesotho Foreign Minister concerning a "surprise attack, launched by the South African Defense Force on Maseru, the capital of Lesotho, on Thursday, December 9, 1982 at 1 a.m. Lesotho time. The Foreign Minister stated that South African attacks against Lesotho citizens, South African refugees, government apartments and flats, resulted in the death of 31 people, including women and children, and constituted a "very serious threat to international

peace and security." At a Council meeting December 14, King Moshoeshoe II of Lesotho condemned the South African raid and appealed to the Council to restrain South Africa from violating the sovereignty or territorial integrity of member states and pursuing a policy of "naked terrorism."

On December 15, the Council unanimously approved resolution 527 which condemned the South African raid; demanded payment by South Africa of full and adequate compensation to Lesotho for the damage to life and property; reaffirmed Lesotho's right to receive and give sanctuary to apartheid victims; called for assistance to Lesotho to strengthen its capacity to receive and maintain South African refugees; and called upon South Africa to declare publicly that it would not commit aggressive acts against Lesotho either directly or through its proxies. The South Africa Representative responded on December 16 that the attack against African National Congress members in Lesotho who engaged in terrorism against innocent people in South Africa should be blamed on Lesotho, which gave sanctuary to these individuals.

Ambassador Lichenstein, on behalf of the United States, said that his Government deplored the attack and had made this position clear to South Africa. The U.S. Representative said that violence from whatever quarter must be condemned. He noted that the resolution, which the United States supported, reaffirmed principles of international behavior which were consistent with the efforts of the United States to "promote practical, negotiated solutions to the problems of southern Africa, solutions that also would contribute to lasting peace and stability in the region."

On September 20, 1982, the Representative of Mexico, Ambassador Munoz Ledo, addressed the Council as chairman of the committee established by resolution 421 (1977) to strengthen the arms embargo against South Africa included in resolution 418 (1977). He stated that the committee issued a report in December 1980 which contained recommendations as yet not addressed by the Council on how to close loopholes in the embargo. Following several speeches on September 23 which focussed on the necessity for continuing the work of the committee, the President of the Council announced that the Council would consider the question at a future date to be determined.

GENERAL ASSEMBLY

Between October 1 and December 14 the General Assembly discussed the question of South African policies of apartheid at 18 meetings in the plenary session without prior reference to a main committee. The Special Committee Against Apartheid[7] submitted its

[7] The Special Committee Against Apartheid was established in 1962 as the "Special Committee on the Policies of the Government of the Republic of South Africa." The 18 members in 1982 were Algeria, German Democratic Republic, Ghana, Guinea, Haiti, Hungary, India, Indonesia, Malaysia, Nepal, Nigeria, Peru, Philippines, Somalia, Sudan, Syria, Trinidad and Tobago, and Ukrainian S.S.R.

annual report which reviewed the developments of the past year concerning South Africa's apartheid policies. The report recommended, *inter alia*, that the program of activities of the International Year of Mobilization for Sanctions Against South Africa be continued beyond the year of 1982. The Special Committee also submitted a report detailing a progress report of the *Ad Hoc* Committee on the Drafting of an International Convention Against Apartheid in Sports.

On October 1, Cuba introduced a draft resolution which called for clemency in favor of three South Africans—Messrs. Mogoerane, Mosololi, and Motaung—whose appeal to a South African court had been denied. The resolution also recommended that the Security Council direct an appeal to the South African authorities, and that the Secretary General transmit the resolution to the South African authorities immediately and report back to the General Assembly not later than October 15, 1982. The resolution was adopted by a vote of 136 to 0, with 1 (U.S.) abstention. In explaining the U.S. position, Ambassador Kirkpatrick stated that because there had been little time to actually discover the facts of the case under consideration, which involved complicated issues of both law and fact, the United States was not in a position to vote on the substance of the resolution, and therefore, had abstained. (Resolution 37/1.)

On October 20, the General Assembly adopted a resolution introduced by Guinea by a vote of 121 to 3 (U.S.), with 23 abstentions, which called on the International Monetary Fund to refrain from granting any credits or other assistance to South Africa, urged members of the IMF to take appropriate action toward that end, and urged the Security Council to consider the matter as soon as possible with a view to taking appropriate action. (Resolution 37/2.) All countries which spoke on the resolution expressed their abhorrence of the apartheid system in South Africa.

On October 21, the U.S. Representative, Gordon Luce, repeated the opposition of the United States to apartheid. He said, however, that the U.S. objection to the present resolution was the manner of proceeding. He drew attention to the three grounds on which his Government based its objections: General Assembly interference with the functions of the IMF Board of Governors; an incorrect premise that drawing rights of IMF members are a concession on the part of the IMF; and an application of political rather than economic criteria to IMF decisionmaking.

All speakers in the Assembly on the question of apartheid condemned the system as practiced in South Africa and pledged their governments' continuing opposition to apartheid. Speaking on behalf of the United States on November 12, Mr. Luce stated that the system of apartheid was "at fundamental variance with the values of liberty, equality, and democracy which constitute the very founda-

tion of American society." He pointed out that the so-called homelands system instituted by the South African Government did not rest on the consent of those who were forced into these settlement areas. However, the United States, which assisted in the effort to bring Zimbabwe to independence, and whose initiative with the Western Contact Group on Namibia has made substantial progress, believed that negotiation with South Africa on Namibia and on the question of apartheid would bring progress and reform. The United States, he noted, fully supported the Security Council arms embargo against South Africa. In an effort to bring about change within South Africa, Mr. Luce stated that the United States had increased the number of university scholarships for black South Africans and had begun a program of educational assistance with black groups within South Africa. Further, the United States encouraged and supported efforts by the U.S. private sector to improve labor conditions in South Africa by adhering to the "Sullivan Principles," a set of fair employment practices which encourage progress in the elimination of discriminatory practices in work places. Mr. Luce then pointed out that progress had been made in the area of fair labor practices, and noted that proposals to institute a tricameral legislature in South Africa indicated that a process of change had begun. The United States, he said, was willing to support that change.

On November 10 and 15 draft resolutions concerning South African policies of apartheid were submitted to the Assembly and were adopted on December 9.

The first, sponsored by 36 states, entitled the "Situation in South Africa," condemned the West and in particular the United States and Israel for "increased political, economic, and military collaboration" with South Africa; authorized financial assistance for national liberation movements and reaffirmed their legitimacy; denounced major Western powers for encouraging South African aggression against its neighbors and for blocking sanctions; and expressed concern about U.S. policies which "have provided comfort and encouragement to the racist regime."

When a vote was taken on December 9 on the resolution, the United States requested separate votes on the 21st preambular paragraph which noted grave concern "at the pronouncements, policies, and actions of the Government of the United States of America which have provided comfort and encouragement to the racist regime of South Africa," and on operative paragraph 4 which "condemned the policies of certain Western states, especially the United States of America, and Israel, and of their transnational corporations and financial institutions which have increased political, economic, and military collaboration with the racist regime of South Africa despite repeated appeals by the General Assembly." Both paragraphs were retained by vote of 73 to 26 (U.S.), with 31

abstentions and 68 to 26 (U.S.), with 36 abstentions. The resolution was adopted by a vote of 118 to 14 (U.S.), with 11 abstentions. (Resolution 37/69 A.)

A second resolution entitled "Concerted International Action for the Elimination of Apartheid," called for support to national liberation movements and the imposition of Chapter VII sanctions. Sponsored by 36 member states, it was adopted by a recorded vote of 135 to 3 (U.S.), with 8 abstentions. (Resolution 37/69 B.)

Another resolution was entitled "Comprehensive and Mandatory Sanctions against South Africa," and in addition to the action called for in its title, condemned the United States for "political, economic, and other collaboration with South Africa" and endorsed South Africa's expulsion from the Universal Postal Union. The recorded vote on this resolution was 114 to 10 (U.S.), with 19 abstentions. (Resolution 37/69 C.)

Sponsored by 47 countries, a resolution entitled "Military and Nuclear Collaboration with South Africa," urged the Security Council to take action under Chapter VII of the Charter to ensure the total cessation of all cooperation with South Africa in the military and nuclear fields, and condemned Israel and several Western countries for providing military equipment and nuclear plans. The resolution was adopted by a vote of 120 to 8 (U.S.), with 16 abstentions. (Resolution 37/69 D.)

The fifth resolution, sponsored by 35 countries, addressed the "Program of Work of the Special Committee against Apartheid." The resolution, *inter alia*, commended the Committee for its work, decided to make a special allocation of $400,000 to the Special Committee for 1983 from the UN budget for the cost of special projects to be decided on by the Special Committee in order to promote the international campaign against apartheid, and called on all governments to support the Committee with voluntary contributions. The resolution was adopted by a recorded vote of 142 to 1 (U.S.), with 3 abstentions. (Resolution 37/69 E.)

A resolution, sponsored by 55 countries, was entitled "Relations between Israel and South Africa." Among other things, it condemned military and nuclear cooperation between these two countries and called on "all governments and organizations to exert their influence to persuade Israel to desist" from "all forms of collaboration with South Africa." It was adopted by a vote of 113 to 18 (U.S.), with 10 abstentions. (Resolution 37/69 F.)

Resolution 37/69 G requested the *Ad Hoc* Committee on the Drafting of an International Convention against Apartheid in Sports to continue its work with a view to submitting a draft convention as soon as possible. It was sponsored by 64 member states and was adopted by a rollcall vote of 138 to 1 (U.S.), with 7 abstentions.

The eighth resolution, "Investments in South Africa" again urged the Security Council to consider taking effective steps to achieve the

cessation of further foreign investments in, and financial loans to, South Africa. The vote was 134 to 1 (U.S.), with 9 abstentions. (Resolution 37/69 H.)

A resolution entitled "UN Trust Fund for South Africa" was sponsored by 52 countries and adopted without a vote. It commended the Fund for its humanitarian assistance to victims of apartheid and called for enhanced contributions from governments. (Resolution 37/69 I.)

Finally, a resolution entitled "Oil embargo against South Africa," authorized the Special Committee against Apartheid to appoint a group of experts to prepare a study and report as soon as possible on all aspects of the question of the supply of oil and oil products to South Africa, and requested that the Secretary General organize meetings of oil producing and exporting countries to consider the report of the experts group and to decide on all arrangements for an international conference. The resolution, sponsored by 22 countries, was adopted by a vote of 125 to 6 (U.S.), with 13 abstentions. (Resolution 37/69 J.)

Speaking in explanation of his delegation's vote on December 9, Mr. Luce stated that the United States found the apartheid resolutions seriously flawed. First, the United States could not support "armed struggle" as a peaceful means of resolving disputes. Nor could the United States sanction calls for assistance to national liberation movements, not only because it was in contravention of the Charter, but because U.S. law specifically forbade it. Mr. Luce stated that the paragraphs on which the United States asked for separate votes were deliberate distortions and slander. The United States was fully supportive of the arms embargo against South Africa, and had not supplied any nuclear material or equipment to South Africa since 1975. It was also noted that the United States had been criticized for its economic collaboration with South Africa, but no one noted that the COMECON countries of Eastern Europe and the Soviet Union had exported $51 million to South Africa in 1981. Mr. Luce also noted that Sweden, which called for economic sanctions against South Africa, was one of the latter's 10 most important suppliers. He noted that his Government was pleased to be able to join in the consensus on the resolutions concerning the UN Trust Fund for South Africa and the UN Educational and Training Program for Southern Africa, both agencies to which the United States contributed.

On December 6, 1982, Libya introduced a resolution concerning death sentences imposed on Messrs. Tsotsobe, Shabangu, and Moise, and Messrs. Mogoerane, Mosololi, and Motaung (members of the African National Congress) by South African courts, and the rejection by the South African appellate court of the appeals of these men. The resolution called upon the South African authorities not to

proceed with the execution of these "freedom fighters" and to commute the death sentences. The resolution was approved by a vote of 127 to 0, with 1 (U.S.) abstention. The U.S. Representative, Ambassador Lichenstein, stated that the United States agreed fully with the humanitarian purpose of the resolution but could not accept contentious, politically motivated language in the resolution, and therefore, found it necessary to abstain. (Resolution 37/68.)

Libya, on behalf of the Africa Group, introduced a resolution on December 13 dealing with the December 9 South Africa Defense Force attack on Maseru, the capital of Lesotho. The resolution condemned South Africa for its unprovoked invasion of Lesotho and urged the Security Council to take immediate steps to deter South Africa from repeating its acts of aggression against Lesotho and other neighboring states. The resolution was adopted by consensus. (Resolution 37/101.) The United States did not participate. In a brief statement, the U.S. Representative, Hernan Padilla, said that the United States did not participate in the adoption of the resolution, by consensus, and would present its views in the Security Council, which was currently seized of the matter.

Other African Questions

CHAD

In April 1982, acting on letters from Kenyan President Arap Moi, Chairman of the OAU, and Chad's President Goukouni Weddeye, the Security Council considered the question of financial assistance to OAU peacekeeping contingents in Chad.

Following intense diplomatic efforts by African leaders to resolve the 16-year-old civil war in Chad, the OAU peacekeeping force was established in October 1981 at the request of President Goukouni's National Union Transition Government to replace departing Libyan troops. This was the first armed force created by the OAU and consisted of 3,500 troops from Nigeria, Senegal, and Zaire.

The Security Council began informal consultations on the request for financial assistance on April 23 and adopted a resolution by consensus April 30 which established a voluntary fund for the peacekeeping forces administered in liaison with the OAU. (Resolution 504 (1982).)

Subsequent to this action, OAU forces withdrew from Chad when their mandate expired June 30. The United States had already allotted $12 million to the peacekeeping force, mostly to provide airlift and non-lethal equipment to the Nigerian and Zairian contingents.

The United States was active in promoting the convening of an international conference on assistance to Chad, which was held

under UN auspices in Geneva, November 29–30. The conference raised $10 million. The United States provided Chad with $17.8 million in humanitarian and emergency aid in fiscal year 1982.

On December 17, the General Assembly adopted without a vote, a resolution commending efforts to extend relief to Chad and requesting the Secretary General to continue to mobilize aid, to report on assistance to Chad to ECOSOC at its second 1983 regular session, and to arrange before the 38th General Assembly a review of Chad's economic situation and of efforts made to assist it. (Resolution 37/155.)

SEYCHELLES COMPLAINT

The Security Council met on five occasions May 20–28, 1982, to consider the report of a UN Security Council Commission of Inquiry dispatched to the Seychelles in accordance with UN Security Council resolution 496 (1981) to investigate the origin, background, and financing of the November 25, 1981, mercenary attack, as well as assess damages, and report to the Security Council no later than January 31, 1982. The Commission was composed of representatives of Ireland, Japan, and Panama, all members of the Security Council.

The report chronicled the Commission's investigations, which concluded that there was considerable evidence that Mike Hoare and other South African residents, with the support of Seychellois emigres, had mounted an unsuccessful mercenary operation designed to overthrow the Government of the Seychelles and reinstate former President Mancham. The Commission found it "difficult to believe" the South African Government was unaware of the plan, although it did not determine the extent of South African Government knowledge or cooperation, if any. The Commission recommended an appeal for economic aid to repair the Seychelles airport, acceleration of work on a mercenary convention, and enhanced efforts by governments to improve airport security and to prevent mercenary activity.

On May 28, Guyana, Jordan, Panama, Togo, Zaire, and Uganda proposed a draft resolution which took note of the Commission report, called upon all states to supply any information they might have in connection with the attack, established a special fund for the Seychelles for economic reconstruction, and extended the mandate of the Commission to examine all further developments and present a supplementary report with appropriate recommendations by August 15, 1982. (After two extensions in the deadline for submission of the report, it was submitted to the Council on November 17 but not the subject of formal consideration by the Council during the remainder of 1982.) The draft resolution was adopted unanimously by the Council on May 28. (Resolution 507 (1982).)

Following the vote, the U.S. Representative, Ambassador Lichenstein, noted that the United States shared the concern expressed in the Council over the attack. He strongly condemned the use of force and every form of external interference in independent states and violations of civil aviation safety regulations, particularly hijacking. The United States, he said, supported the creation of the economic fund for the Seychelles and the extension of the term of the Commission. He questioned, however, whether the Commission, which could not act as a court of law, would be useful in evaluating further information from those accused in the attack who were presently standing trial in the Seychelles and South Africa.

COMORIAN ISLAND OF MAYOTTE

The question of the Comorian Island of Mayotte has been included in the General Assembly's agenda since 1976. The dispute between France and the Comoros centers on the status of the Island of Mayotte whose largely Christian population in referendums in 1974 and 1976 indicated a preference to remain a part of France rather than associate with the predominately Moslem Comoros which gained their independence.

At the 37th General Assembly, the question of Mayotte was considered on December 3. Following speeches by the Representatives of the Comoros and France, a vote was taken on a draft resolution which reaffirmed the sovereignty of the Comoros over Mayotte, called for the "translation into practice" of the willingness expressed by the French President to see a just solution, and invited France to pursue the negotiations with the Comoros with a view to returning the islands. The resolution was adopted by a vote of 112 to 1, with 22 (U.S.) abstentions. (Resolution 37/65.)

Falkland Islands

SECURITY COUNCIL CONSIDERATION

On April 2, 1982, Argentine troops invaded the British-held Falkland Islands, which lie 250 miles off the southeastern tip of Argentina, and the South Georgia and South Sandwich Islands. The Falklands have been held by the British since 1833, but Argentina maintains that it inherited a Spanish claim to the islands, which the Argentines call Islas Malvinas. Following the Argentine action British forces almost immediately began moving toward the South Atlantic.

At the urgent request of the British, the Security Council met the evening of April 1 and was informed by the British Permanent Representative that an Argentine force was heading for the islands.

After both the British and Argentine Representatives presented their cases for the sovereignty of the islands, the President of the Council read a statement previously accepted by all members which expressed concern and called on the two governments to exercise the utmost restraint and to refrain from the use of or threat of force in the region.

On April 2 the British submitted a resolution to the Security Council demanding the immediate cessation of hostilities and the withdrawal of Argentine forces, and calling on the Argentine and British Governments to seek a diplomatic solution to their differences. After a delay requested by the Argentine Representative so that he could consult with his government, the resolution was adopted by the Council on April 3 by a vote of 10 (U.S.) to 1, with 4 abstentions. (Resolution 502 (1982).) Panama, which had introduced an opposing resolution calling for recognition of Argentine sovereignty over the islands, withdrew its draft after the vote. The Council then adjourned *sine die*, remaining "seized" of the issue. Secretary General Perez de Cuellar informed both Argentina and the United Kingdom that, if asked, he was prepared to mediate and that the UN Secretariat had prepared various options for UN involvement in seeking a peaceful solution to the dispute.

Diplomatic efforts to end the crisis then shifted away from the United Nations. At the request of President Reagan, Secretary of State Haig embarked on a mediation effort lasting several weeks, in which he made several trips to Buenos Aires and London to help the parties find a peaceful resolution of the dispute.

At the same time, the Permanent Council of the Organization of American States met on April 5, to hear the Argentine Foreign Minister appeal for inter-American solidarity against the British. The OAS continued to meet to discuss the situation and on April 13 adopted a resolution expressing its concern and offering its cooperation in averting the danger of war and finding a peaceful settlement. On April 28 a meeting of hemispheric foreign ministers, convened under the Inter-American Treaty of Regional Assistance (Rio Treaty), recognized Argentina's claim of sovereignty and called for a cessation of hostilities. The United States abstained. The British fleet meantime continued to sail toward the islands.

British forces finally arrived on South Georgia Island on April 25, and fighting then broke out in the area, continuing until June 16. The Secretary General on May 2 with the agreement of both parties to the dispute undertook a mediation effort, meeting daily in New York with each party. After weeks of intensive negotiations the Secretary General informed the Council on May 20 that his efforts for a peaceful settlement had failed. The Council met in several sessions to discuss the situation; on May 26 it adopted a resolution sponsored by Ireland asking the Secretary General to resume his negotiations. (Resolution 505 (1982).)

Meanwhile, on May 29 the Rio Treaty foreign ministers adopted a resolution, by a vote of 17 to 0, with 4 (Chile, Colombia, Trinidad and Tobago, and U.S.) abstentions condemning the British "unjustified and disproportionate armed attack" and calling for aid to Argentina. It also urged the United States to lift its economic measures against Argentina and to stop supplying material assistance to Britain. U.S. Ambassador John W. Middendorf II, in his explanation of vote, characterized the resolution as onesided because it made no mention of Argentina's first use of force and did not call upon both parties to comply with the provisions of Security Council resolution 502 (1982).

The Security Council met on June 4 to consider a draft resolution, sponsored by Spain and Panama, calling for a cease-fire and implementation of its resolutions 502 (1982) and 505 (1982). The United States joined the United Kingdom in vetoing the draft in a vote of 9 to 2, with 4 abstentions. Ambassador Kirkpatrick explained after the vote that she had just received new instructions and that, were it possible for a country to change its vote, the United States would change its negative vote to an abstention.

Although the Secretary General continued his efforts, they were overshadowed by increasing military activity as British troops landed on the main islands. Argentine forces finally surrendered on June 16.

GENERAL ASSEMBLY

On August 16 Mexico sent the Secretary General a letter signed by 20 Latin American countries requesting that the "Question of the Malvinas Islands" be inscribed on the General Assembly agenda. A few days later (August 19–20), the Special Committee on Decolonization debated the issue. Statements by the British Representative and two members of the Falklands Council emphasized the British heritage and nature of Falkland society and appealed to the principle of self-determination as being the heart of UN practice and principle on decolonization. The Argentine statement concentrated on the principle of territorial integrity, asserting that the Falklands were alienated from Latin America by "colonialist" military intervention. The Committee took no action on the question, deciding simply to pass its documents to the General Assembly.

The General (Steering) Committee of the General Assembly approved without a vote the inscription request on September 22. A British amendment to the inscription proposing use of standard UN language referring to the "Falkland/Malvinas Islands" rather than only Malvinas Islands was also accepted after statements by the United Kingdom and United States.

The Falklands question went directly to the General Assembly plenary without reference to a committee. Debate on a draft

resolution sponsored by 20 Latin American countries continued for 3 days, November 2–4. On November 4 the General Assembly adopted the proposed resolution by a vote of 90 (U.S.) to 12 (U.K.), with 52 abstentions. In its key paragraphs the resolution requested both parties to resume negotiations "in order to find as soon as possible a peaceful solution to the sovereignty dispute," and asked the Secretary General to assist them in doing so. (Resolution 37/9.)

The British Permanent Representative, in explaining his vote, noted that Argentina still had not committed itself to a cessation of hostilities, and said the Argentine Government would interpret the adoption of the resolution as the UN turning a blind eye to a possible resumption of hostilities. He also stressed the unacceptability of reference in the resolution to "sovereignty" and said that negotiations could not proceed as if there had been no hostilities. Finally, he deplored the absence of any reference to the rights of the Falklanders to self-determination.

The U.S. Representative, Ambassador Kenneth L. Adelman, in explanation of vote reiterated U.S. support for a negotiated settlement of the conflict over the Falklands. He noted the unsuccessful efforts by the United States to help both parties find a peaceful settlement, and its support of Security Council resolutions 502 (1982) and 505 (1982). He welcomed the current resolution's reaffirmation of the UN Charter's principles concerning the non-use of force, and its references to the cessation of hostilities and the intention of the parties not to renew them. Finally, while noting U.S. neutrality on the question of the sovereignty of the Islands, he said the United States assumed that any negotiations undertaken by Argentina and the United Kingdom must necessarily take into account the "aspirations of the Falkland Islanders."

Nicaragua

In a letter to the UN Secretary General dated March 19, 1982, Nicaragua requested an urgent meeting of the Security Council to consider the tense situation in Central America and its allegations of U.S. intervention in Nicaragua. After several days of informal consultations, the Council convened on March 25. Nicaraguan Junta Coordinator Daniel Ortega Saavedra opened the debate with a speech outlining a long list of grievances against the United States.

Ambassador Kirkpatrick responded by rejecting the Nicaraguan allegations and charging that they were made in order to justify the Nicaraguan Junta's elimination of any potential opposition, its denial of political and other human rights, and the concentration of power in a one-party elite. Following a familiar totalitarian pattern, she said, the Nicaraguan Government accompanied its demands for increased power by spurious charges concerning enemies without

and within the country. She outlined the control the Junta had taken over virtually all sectors of Nicaraguan society, and its efforts to subvert and overthrow neighboring governments, principally in El Salvador. After reviewing past U.S. efforts to cooperate with Nicaragua to alleviate tensions in the area, she reiterated U.S. willingness to work with Nicaragua toward this end. Finally, she noted that, although the United States had not interposed any objections to the Nicaraguan Government's desire to speak in the Security Council, the appropriate and primary forum for the discussion under both the UN and OAS Charters was the OAS, which following its 17th Meeting of Foreign Ministers dealing in 1978 and 1979 with threats to peace in Central America, was still formally seized of the matter. She called on Nicaragua to join with the United States and neighboring countries to resolve their differences and end all external intervention.

The Council met on this matter between March 25 and April 2. On the final day of debate Ambassador Kirkpatrick summarized the U.S. objections to the nature of the Nicaraguan complaint and refuted the accusations made against the United States. The Costa Rican Representative also spoke, pleading both the political and the legal case for taking inter-American disputes to the OAS in the first instance. Citing both the Bogota and Rio Pacts, as well as the UN and OAS Charters, he said that OAS members maintained that the OAS has primacy in dealing with regional problems, and noted that this was the first inter-American dispute brought directly to the Security Council with no previous attempt at regional settlement.

After failing to reach a compromise text acceptable to all, the Council then voted on a draft resolution sponsored by Panama and Guyana, which reminded all states of their obligation to respect the principles of the UN Charter, especially those concerning non-intervention, self-determination, the non-use of force, territorial integrity, and pacific settlement of disputes. It also called on all states to refrain from the use of or threat of use of force and to lend their support to the search for a peaceful solution to the problems of Central America and the Caribbean. But, because the resolution omitted any hint of Nicaragua's primary culpability for regional tensions, the United States vetoed the resolution in a vote of 12 to 1 (U.S.), with 2 abstentions.

In explanation of the vote, the U.S. Representative, Ambassador Lichenstein stated that although the United States had hoped to join in a consensus resolution of the Council, it had found the draft resolution defective in that it undermined the institution of the Security Council, the United Nations, and the well-established inter-American system for the resolution and conciliation of disputes in this hemisphere. Moreover, it failed to identify certain key elements of the problem of Central and South America, including the interven-

tion of the Nicaraguan Junta in the affairs of their neighbors, intervention sustained and encouraged by other powers both within and outside this hemisphere. The United States, he concluded, would continue its efforts to develop a constructive relationship with Nicaragua and remained ready to do its part to ensure peace in the region and to enhance the prospects for democracy and development for all the people of this hemisphere.

Cyprus

Intercommunal talks between the Greek Cypriot and Turkish Cypriot communities, which resumed in 1980 under the auspices of Hugo Gobbi, the Special Representatives of the UN Secretary General, continued during 1982. The UN Peacekeeping Force in Cyprus (UNFICYP) was extended twice for 6-month periods.

INTERCOMMUNAL TALKS

The Intercommunal Talks conducted by Ambassador Gobbi continued throughout 1982. Approximately weekly meetings were held during the first 4 months of the year. In April the Greek Cypriot Representative, Mr. George Ioannides was replaced by Mr. Andreas V. Mavrommatis. The Turkish Cypriot Representative remained Mr. Umit Suleyman Onan. Until March 10 the Intercommunal Talks focussed on "points of coincidence" in the "evaluation" of the negotiations undertaken by Ambassador Gobbi. Following this phase the talks turned to "points of equidistance" with an emphasis on freedom of movement, freedom of settlement, and right of property. This phase was pursued in meetings from March 17 to May 18. Beginning with the meeting on May 25 the "evaluation" process began approximately twice weekly meetings on the possible executive, legislative, and judicial structures of a federal government. These talks lasted until November interrupted only by two recesses, in July–August and October. In November the talks turned to territorial aspects. At the end of the year the Secretary General observed that the task of developing "an overall package" settlement should be undertaken soon, and that he was confident that, "with the political will" on both sides, agreement on such a package could be accomplished.

The Intercommunal Talks were given impetus by the Secretary General in meetings with Cypriot President Kyprianou in April, June, and October and during the same months with Turkish Cypriot leader Denktash. Also in October Secretary Shultz met with President Kyprianou. In November Secretary Shultz replaced Mr. Reginald Bartholemew with Mr. Christian A. Chapman, a senior Foreign Service Officer, as his Special Coordinator for Cyprus. In

November Mr. Chapman visited Cyprus where he met Greek Cypriot and Turkish Cypriot leaders and their representatives in the Intercommunal Talks. He also visited European capitals where he discussed the Cyprus question with senior government officials.

SECURITY COUNCIL CONSIDERATION

The Secretary General reported on June 1 and December 1 on the United Nations Peacekeeping Operation in Cyprus. He indicated that the peacekeeping force continued to perform a needed and important function and that the UNFICYP mandate should be renewed for subsequent 6-month periods. The Security Council, by unanimous votes, renewed the UNFICYP mandate on June 15 and December 14. (Resolutions 510 (1982) and 526 (1982).)

The size of the UNFICYP force, which is comprised of troops of seven countries and two civilian police contingents numbered 2,348 in June and in December. This represented a very slight decline in strength, but the expenses for the force continued to exceed voluntary donations, which necessitated the troop contributing countries to continue to be unreimbursed for some of their expenses in addition to those which they accepted voluntarily to absorb. The deficit stood on December 1 slightly over $100 million. The U.S. voluntary contribution continued to be $9 million a year and continued to represent just under half of the funds contributed.

GENERAL ASSEMBLY CONSIDERATION

During the session of the 37th General Assembly in 1982, Cyprus chose to defer consideration of this question while reserving the right to consider the item at a resumed session during 1983 if conditions warranted. (Decision 37/452.) The General Assembly also considered the issue of missing persons in Cyprus and on the recommendation of the Third Committee adopted, without a vote, on December 17, a resolution which invited continued involvement of a working group of the Commission on Human Rights in the good offices efforts of the Secretary General to make progress toward an investigation of the missing persons issue. (Resolution 37/181.)

DISARMAMENT AND ARMS CONTROL

Disarmament Commission

The UN Disarmament Commission, originally established in 1952, was reestablished by the General Assembly at its 10th special session in 1978 as a subsidiary organ of the General Assembly to serve as a deliberative body to consider and make recommendations on various problems in the field of disarmament, open to all UN members.

In 1982, the Commission met May 17–28, just prior to the convening of the 2nd special session devoted to Disarmament, at UN Headquarters, and again on October 14 to consider and adopt its report. The Commission adopted recommendations to continue its consideration of items concerning the nuclear arms race and nuclear disarmament, reduction of military budgets, and nuclear plans and capability of South Africa, which were subjects of discussion in the Commission's working groups during its 2-week session in 1982. The group also adopted general guidelines for the study of conventional disarmament, an item which had been on its agenda since 1981 in order to elaborate a general approach to the study on all aspects of the conventional arms race. The report of the proceedings of the Disarmament Commission were submitted to the second special session, and then (inasmuch as the special session did not act on them) were resubmitted to the 37th General Assembly.

On November 18 Peru, on behalf of 13 other countries, introduced a draft resolution in the First Committee of the 37th General Assembly. The draft, among other things, took note of the report of the Commission and the fact that the Commission was not able to conclude consideration of several items on its agenda. It also requested that the Commission continue its work in accordance with its mandate, and also requested that it meet for a period of not more than 4 weeks during 1983.

The resolution was approved in Committee on November 26 by a recorded vote of 125 to 0, with 0 abstentions. It was adopted in the plenary Assembly on December 9 without a vote. (Resolution 37/78 H.)

Committee on Disarmament

The Committee on Disarmament (CD) is the principal international body for the negotiation of multilateral arms control and disarmament agreements. With a membership of 40 nations,[8] including the 5 nuclear-weapon states, the Committee evolved from the 31-member Conference of the Committee on Disarmament, which met from 1969 to 1978, and the earlier Eighteen Nation Disarmament Committee (ENDC), which existed from 1961 to 1969. The ENDC in turn was an outgrowth of a 10-nation committee, and of previous less formal consultative groups involving mainly the major powers.

The CD is an autonomous body with its own rules of procedure; but, it is linked to the United Nations through a personal representa-

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[8] THE MEMBERS OF THE Committee are: Algeria, Argentina, Australia, Belgium, Brazil, Bulgaria, Burma, Canada, China, Cuba, Czechoslovakia, Egypt, Ethiopia, France, German Democratic Republic, Federal Republic of Germany, Hungary, India, Indonesia, Iran, Italy, Japan, Kenya, Mexico, Mongolia, Morocco, Netherlands, Nigeria, Pakistan, Peru, Poland, Romania, Sri Lanka, Sweden, United Kingdom, U.S.S.R., United States, Venezuela, Yugoslavia, and Zaire.

tive of the UN Secretary General who serves as the Secretary of the Committee. The United Nations also provides administrative support to the Committee through its regular budget. The Committee reports annually on its activities to the General Assembly, and resolutions passed by the Assembly frequently request the Committee to take up specific matters in the FIELD OF DISARMAMENT.

The CD meets each year in a two-part session. In 1982, the Committee met February 2–April 23 and August 5–September 17. The U.S. Representative to the Committee was Ambassador Louis G. Fields, Jr., who headed a delegation comprising officials drawn from the arms Control and Disarmament Agency; the Departments of State, Defense, and Energy; and the Office of the Joint Chiefs of Staff.

During its 1982 session the Committee held 39 formal plenary meetings and 35 informal meetings. The Committee's Rules of Procedure provide that non-member states may, on request, submit papers and make statements at formal plenary meetings, as well as meetings of subsidiary bodies of the Committee. Accordingly, during the 1982 session a number of non-member states also participated in various activities of the Committee.[9]

The Committee acted on a wide range of disarmament issues during its 1982 session. Those items which received the most attention were included in its agenda for the year, which comprised the following items: nuclear test ban; nuclear disarmament; security guarantees to non-nuclear-weapon states; chemical weapons; new weapons of mass destruction and radiological weapons; and outer space arms control.

In certain cases the Committee decided to form *ad hoc* working groups to work on specific issues. Four such working groups were continued from the previous year's session. These were the working groups on chemical weapons, radiological weapons, security assurances to the non-nuclear-weapon states, and on the development of a comprehensive program of disarmament. In addition, the Committee formed a new working group on a nuclear test ban during the 1982 session, with a mandate to explore verification and compliance issues.

AD HOC WORKING GROUPS

Chemical Weapons

The Committee's working group on chemical weapons was given a new mandate for 1982: "to elaborate a convention on the complete

[9] These were: Austria, Denmark, Finland, Greece, the Holy See, Ireland, Madagascar, Norway, Portugal, Senegal, Spain, Switzerland, Tunisia, Turkey, and Vietnam.

and effective prohibition of the development, production and stockpiling of chemical weapons and on their destruction. . . ." The working group held 42 meetings during the 1982 session, as well as a number of informal consultations. It addressed the whole range of elements which would comprise a chemical weapons convention, including the scope of a ban on such weapons, definitions, procedures for declaration and destruction of chemical weapon stocks and production facilities, and verification and compliance provisions. During the summer portion of the Committee's session, the working group formed nine informal "contact" groups, each of which dealt with a particular element of a chemical weapons convention. It was apparent from the work of the working group that, while there was broad agreement on a number of general issues surrounding the development of a convention, significant detailed work still needed to be done on key issues. Moreover, there were clear differences among delegations on effective means for verification and compliance.

Radiological Weapons

The Committee's working group on radiological weapons was originally established during the 1980 session, with the aim of negotiating a treaty to prohibit the development, production, stockpiling, and use of such weapons. The initiative for these negotiations came from the United States and Soviet Union, which in 1979 submitted to the Committee a joint draft of major elements of such a convention.

During the 1982 session the working group held a total of 14 meetings, and the Chairman held a number of informal consultations. The principal issue before the working group was whether, as advocated by some delegations, a convention banning radiological weapons should also contain provisions prohibiting attacks against civil nuclear facilities, which might result in the release of radiation. There were, in addition, other outstanding issues on such matters as the exact wording of a definition of radiological weapons and procedures for verification of compliance with the convention's provisions. During the second part of the Committee's session, the Chairman of the working group held a series of consultations focused on how to resolve differences among delegations over the question of attacks against civil nuclear facilities. While there was no resolution of these differences, there was general agreement that negotiations on a radiological weapons convention should be continued during the next year's session.

Negative Security Assurances

This working group was originally formed in 1979 to consider international arrangements to assure the non-nuclear-weapon states

against the use, or threat of use, of nuclear weapons against them. Little progress was made by this working group during the 1982 session. Differences remained over the exact wording of a possible common assurance to be given by the nuclear-weapon states, as well as over the form such an assurance might take. The working group did not meet during the second part of the Committee's session, in part because of the view of some delegations that work on this question had reached an impasse.

Comprehensive Program on Disarmament

In 1978, the General Assembly's 1st special session on disarmament requested the Committee on Disarmament to develop a comprehensive program of disarmament, which would encompass all those disarmament measures considered necessary to lead to the goal of general and complete disarmament under effective international supervision. The Committee formed a working group in 1980 to draw up such a document, which was to be submitted to the General Assembly's second special session on disarmament in June 1982. During the first part of the Committee's 1982 session, the working group made further progress in narrowing differences among delegations over the form and content of the comprehensive program. Nonetheless, it was not possible to reach agreement on a final text. Thus, the text forwarded to the special session contained numerous areas of disagreement. It proved impossible as well to resolve these differences at the special session itself, with the result that the Committee was requested to continue its efforts, with a view to forwarding an agreed text to the 38th General Assembly in the fall of 1983. During the summer part of the Committee's 1982 session it was agreed that there would be no formal meetings of the working group, although informal consultations were held. It was anticipated that the working group would be reestablished in the 1983 session to continue its work.

Nuclear Test Ban

The Committee formed one new working group during its 1982 session, on the issue of a nuclear test ban. The United States proposed the creation of a working group to discuss the verification and compliance aspects of a nuclear test ban. The U.S. Delegation maintained that, while the United States continued to view the achievement of such a ban as a long-term goal, more work was necessary, particularly in the area of verification, if progress was to be made toward this goal. After lengthy discussions, agreement was reached on April 21, at the very end of the first part of the Committee's session, on a mandate for this new working group. The key portion of that mandate provides as follows:

Considering that discussion of specific issues in the first instance may facilitate progress toward negotiation of a nuclear test ban, the Committee requests the *ad hoc* working group to discuss and define, through substantive examination, issues relating to verification and compliance with a view to making further progress toward a nuclear test ban."

The working group began its efforts during the second part of the Committee's session, holding a total of 10 meetings during August and September. Despite considerable discussion, it proved impossible to reach agreement on a program of work. The last three meetings of the working group were, therefore, devoted to a general exchange of views on various aspects of verification and compliance of a nuclear test ban. Among the topics discussed during these exchanges were the purposes, general requirements, and effectiveness of verification; international seismic monitoring; the possible need for atmospheric detection methods; the role of national technical means of verification; the role of onsite inspection; and procedures for consultation and cooperation.

OTHER AGENDA ITEMS

Apart from those items which were dealt with in working groups, other issues were addressed in meetings of the plenary, both formal and informal. These included a discussion of nuclear disarmament measures (apart from the test ban question), outer space arms control, and new weapons of mass destruction.

Nuclear Disarmament

The Committee's 1983 agenda included, as it had since 1979, an item entitled "Cessation of the Nuclear Arms Race and Nuclear Disarmament." The Committee discussed a broad range of issues under this item, and there were proposals for the establishment of a number of working groups, although no consensus was reached on any of these proposals. Among those matters discussed were proposals for various types of freezes on nuclear arsenals, declarations of no-first-use of nuclear weapons, the idea of multilateral negotiations on reductions in nuclear weapons—in parallel with the ongoing bilateral negotiations on this subject between the United States and Soviet Union—the prerequisites for nuclear disarmament, the role of deterrence, and the broad question of measures to prevent nuclear war.

As was the case in past discussions on this agenda item, there was a wide divergence of views among delegations on these issues. The United States and other Western delegations emphasized that unverifiable freezes and declarations of no-first-use of nuclear weap-

ons were ineffective at best, particularly in view of the prevailing advantage held by the Soviet Union in certain areas such as long-range intermediate nuclear forces. They also pointed to the declaration of the NATO allies that none of their weapons would ever be used except in response to attack. Western delegations also noted that the United States and the Soviet Union were already engaged in negotiations on nuclear weapons and that such bilateral negotiations should be the first step in the process of nuclear disarmament.

New Types of Weapons of Mass Destruction

As in past years, the Committee set aside several meetings of the plenary for consideration of the question of possible new types of weapons of mass destruction. Hungary once again was the principal proponent of these discussions, repeating the view that a convention should be drawn up to ban any such new weapons. Western delegations, including the United States, pointed out that no such weapons have been identified and that a general, ill-defined ban would be unverifiable, as well as too amorphous, to be useful.

General Assembly

The 12th special session of the General Assembly was the second special session on disarmament. It met June 7–July 10 and was highlighted by the participation of 18 heads of state or government including President Reagan who addressed the session on June 17.

The 37th session of the General Assembly had 24 disarmament items on its agenda which were considered by the First Committee. On the basis of the Committee's recommendations, the General Assembly adopted 57 disarmament resolutions. Many of the resolutions adopted reaffirmed the Assembly's past actions on disarmament. Of the 57 resolutions, 42 are discussed below.

SPECIAL SESSION ON DISARMAMENT

The second special session on disarmament was convened to discuss all aspects of disarmament, but its primary focus was a review of the implementation of decisions and recommendations of the 1st special session on disarmament which met in 1978. A second major task for the session was consideration and adoption of a comprehensive program of disarmament which had been under negotiation in the Geneva-based Committee on Disarmament since 1980.

President Reagan in his address to the special session on June 17 called for "a recommitment to the basic tenet of the United Nations Charter" and asked that "those of us assembled here in the name of

peace deepen our understandings, renew our commitment to the rule of law and take new and bolder steps to calm an uneasy world." After outlining a detailed agenda for peace covering a full range of arms reduction measures, the President proposed an international conference on military expenditures "to build on the work of this body in developing a common system for accounting and reporting" and announced that "to improve confidence and communication" between the United States and the Soviet Union and "lessen the likelihood of misinterpretation," he had directed "the exploration of ways to increase understanding and communication between the United States and the Soviet Union in time of peace and crisis."

The President noted that "the American people believe forging real and lasting peace to be their sacred trust" and added, "let us never forget that such a peace would be a terrible hoax if the world were no longer blessed with freedom and respect for human rights."

With regard to the comprehensive program of disarmament he said, "we support the effort to chart a course of realistic and effective measures in the quest for peace."

During the session, over 60 proposals and position papers were circulated as documents of the session. Many dealt with nuclear disarmament, prevention of war, and questions of banning chemical weapons. Proposals surfaced on various aspects of the verification of disarmament agreements and others concerned the relationship between disarmament and development, the international machinery for dealing with disarmament and public dissemination of information on disarmament. Five draft resolutions were introduced but not put to a vote. They were transmitted to the 37th General Assembly with the observation that they might be reissued, as appropriate, as documents of that session. The drafts ultimately became resolutions 37/100 A, B, and C. They concerned a freeze on nuclear weapons, nuclear arms freeze, and a convention on the prohibition of the use of nuclear weapons. Two other drafts were withdrawn from consideration after being introduced in the First Committee of the 37th General Assembly.

The session renewed a commitment to the Final Document of the second session, the need to strengthen the role of the UN system in the field of arms control and disarmament was asserted. The session was also seen as a catalyst for the increasing public interest in the problems of arms limitation. Annexed to the concluding document was the text of the Draft Comprehensive Program of Disarmament, on which no agreement was reached, with the request to the Committee on Disarmament that it complete negotiations on the draft and submit it to the 38th General Assembly. There was agreement on two other initiatives: the outline of a World Disarmament Campaign and an expansion of the UN Disarmament Fellowship program.

At the close of the second session on July 10, U.S. Representative Edwin J. Feulner, Jr. said:

> It was because of our commitment to this session that President Reagan addressed this body on June 17; that our delegation was composed of Senators and Congressmen from both political parties and representatives from other sections of American life. It was because we wanted to reach an enduring consensus on these critical questions of war and peace that we—along with many other delegations—labored long into the night.
>
> Sadly, we were unable to achieve that full consensus we all so ardently hoped for. But we shall continue to work in this forum as well as others in search of the goal of lasting peace.
>
> President Reagan has offered President Brezhnev the opportunity to address the American people on our television on the vital questions of peace and disarmament in exchange for a chance to address the Soviet people. At this session, we have offered specific proposals for similar multilateral discussions and regional seminars throughout the world. We believe that an informed world public is the best guarantee for peace and understanding among nations.
>
> We have, therefore, urged that the General Assembly call on the Soviet Government, as well as the Governments of Laos and Vietnam, to grant full and free access to areas where chemical attacks have been reported so that the UN Group of Experts can conduct an impartial investigation.
>
> We have also called for the convening of an International Conference on military expenditures.
>
> As we conclude our work of this 2nd special session on disarmament, I am again struck by the awesome task before us. Never have so few been responsible for the fate of so many. Let us not forget or shirk this responsibility as we continue our search for a true and lasting peace.

REDUCTION OF MILITARY BUDGETS

The 37th Assembly, as it had in several previous years, adopted two resolutions on this issue on December 13.

On November 12, two draft resolutions were introduced in the First Committee. The first was introduced by Sweden, on behalf of Romania and a large number of neutral, non-aligned, and Western countries. The draft resolution reaffirmed the value of mutually agreed reductions of military expenditures and emphasized the need to give a "fresh impetus toward achievement of the broadest possible (national) participation . . . in the (annual) reporting of military expenditures to the Secretary General." Noting that among such initiatives was a proposal—put forward by President Reagan at the second special session devoted to disarmament—to convene an

international conference on military expenditures, the resolution also invited member states to submit their views to the Secretary General on practical means for promoting wider reporting. Finally, the resolution mandated another in a series of UN expert group studies to pursue further work to facilitate the comparison of submitted expenditure data.

The resolution was approved in Committee over the usual objections of the U.S.S.R, which treats virtually all information about its military expenditures as secret, by a vote of 98 (U.S.) to 13, with 8 abstentions. The resolution was adopted by the General Assembly by a vote of 96 (U.S.) to 13, with 9 abstentions. (Resolution 37/95 B.)

Romania, with the cosponsorship of Sweden and several other neutral/non-aligned countries, introduced a second resolution on the reduction of military budgets. Paralleling resolutions adopted by the 35th and 36th Assemblies, this resolution requested the UN Disarmament Commission in 1983 to continue consideration of "principles that should govern further actions of states freezing and reducing military expenditures, keeping in mind the possibility of embodying such principles in a suitable document at an appropriate stage." The draft was approved in Committee and adopted in the plenary Assembly by consensus. (Resolution 37/95 A.)

CHEMICAL AND BIOLOGICAL WEAPONS

At its 37th session in 1925, the General Assembly adopted five separate resolutions on chemical and biological weapons.

Reflecting widespread concern for upholding the authority of the 1982 Geneva Protocol, France introduced a resolution in the First Committee on November 19 which called upon all states to comply with the provisions of the Protocol which banned use of Chemical Weapons and requested the Secretary General to establish within the UN Secretariat a permanent mechanism for investigating reports of possible violations of the Protocol. Belgium, Ecuador, the Netherlands, Sweden, and Uruguay cosponsored this resolution, which was approved by the First Committee on November 29 by a recorded vote of 71 (U.S.) to 18, with 30 abstentions. The Soviet Union and most of its allies voted against this resolution, and the Soviets made a statement in the First Committee opposing the measure. The resolution was adopted by the General Assembly on December 13 by a vote of 86 (U.S.) to 19, with 33 abstentions. (Resolution 37/98 D.)

The resolution also requested the Secretary General "to investigate, with the assistance of qualified experts, information that may be brought to his attention by any member state concerning activities that may constitute a violation of the Geneva Protocol. . . ." In order to carry out such investigations, the Secretary

General was further requested to compile and maintain lists of qualified experts whose services could be made available at short notice to conduct such investigations and of laboratories which could undertake testing of samples for the presence of prohibited agents. Member states were asked to submit their recommendations to the Secretary General, and the United States subsequently provided the United Nations with the names of several qualified scientists and appropriate laboratories. The United States also agreed to participate in a group, provided for in the same resolution and called together by the Secretary General to set up orderly procedures for conducting the investigations.

As this new mechanism was created to monitor possible violations of the Geneva Protocol, a UN investigation of reports of chemical weapons use, which had been underway for years, came to an end. This effort initially began as the result of a resolution introduced at the 35th General Assembly session by New Zealand and adopted at that session. That resolution, 35/144 C, called upon the Secretary General to carry out an impartial investigation to ascertain facts pertaining to reports regarding the alleged use of chemical weapons. Experts from Egypt, Kenya, the Philippines, and Peru were appointed by the Secretary General to conduct this investigation, and the group submitted reports to the General Assembly in 1981 and 1982 on their findings. In its 1981 report, the group stated that it was "unable to reach a final conclusion as to whether or not chemical warfare agents had been used." The group added that, "Any investigation designed to lead to definitive conclusions regarding the alleged use of chemical weapons and to an assessment of the extent of damage caused by such chemical weapons would require timely access to the areas of alleged use of chemical warfare agents in order to establish the true facts. Such an exercise so far has not been posssible."

In 1982, the group was able to visit refugee camps in Pakistan and Thailand and to conduct interviews with individuals who said they were victims of attacks. The group also received and collected samples which were reported to have been obtained from chemical attacks. The group noted, however, that it encountered various difficulties in conducting its investigation, and that it was not in a position to proceed to the territories where chemical attacks had allegedly occurred and was, therefore, unable to conduct any onsite investigations on those territories. In drawing its conclusions, the group said that, while it could not state that the allegations of chemical weapons use had been proven, "nevertheless it could not disregard the circumstantial evidence suggestive of possible use of some sort of toxic chemical substance in some instances."

At the 37th General Assembly, a New Zealand resolution which took note of this report by the group of experts and called for strict

observance of the principles and objectives of the Geneva Protocol and condemned all contrary actions was adopted on December 13 by a vote of 83 (U.S.) to 22, with 23 abstentions. This resolution was opposed by the Soviet Union and most of its allies. (Resolution 37/98 E.)

Speaking in explanation of vote in the First Committee, the U.S. Representative, Ambassador Kenneth Adelman, said that representatives knew the United States supported the draft resolution just adopted. It was a careful and sober commentary on the matter of chemical weapons use, and accordingly his Government deeply appreciated the efforts of the sponsors.

At the same time, the United States would like to note certain points that should be borne in mind with regard to the UN report and the issue of chemical weapons in general. First, it would seem only logical to take note of the fact that reports of the use of chemical weapons were, of course, continuing. Secondly, the United States believed that the 1972 Convention on biological and toxic weapons were of direct relevance to the issue. That Convention prohibited the production, stockpiling, and transfer of the kind of weapons which were being used; the United States thinks it is important to record once again the need for strict observance of its provisions. Finally, it is highly significant to the work of the UN experts to note that they were not permitted to enter those areas where chemical weapon attacks are taking place.

Two other measures dealing with chemical weapons were adopted on December 13. One resolution, introduced by Poland, focused on the work of the 40-nation Committee on Disarmament in Geneva in its efforts to achieve a complete ban on chemical weapons. The resolution regretted, however, that such an agreement had not yet been elaborated. This resolution was adopted by consensus. (Resolution 37/98 B.)

The other measure dealing with chemical weapons was introduced by the German Democratic Republic; it called upon the United States and the Soviet Union to resume bilateral negotiations on the prohibition of chemical weapons and to submit their joint proposal to the Committee on Disarmament. The resolution, cosponsored by eight other countries, also singled out binary chemical weapons and called upon all states to refrain from producing them. This resolution was adopted in the General Assembly by a vote of 95 to 1 (U.S.), with 46 abstentions. (Resolution 37/98 A.) The United States voted against this resolution, as it had a similar resolution during the 36th General Assembly, because it was largely propagandistic and focused its call for restraint only on binary and new types of chemical weapons while not addressing the problem posed by other types of chemical weapons.

The United States has reiterated many times its desire to achieve a complete and effectively verifiable ban on all chemical weapons.

When Eugene Rostow, Director of the U.S. Arms Control and Disarmament Agency, addressed the First Committee on October 27, he noted that the U.S. Government attached major importance to the matter of chemical weapons, their use, and efforts to ban them. Mr. Rostow said:

> When I spoke to this Committee last year I underlined the deep and continuing concern of my Government over the use of chemical warfare in Southeast Asia and Afghanistan. Since that time, even more compelling evidence of this activity has come to light. The United States brought this new evidence to the attention of the United Nations in March of this year, in the form of a report which compiled all of the evidence we had before us into a single document. The conclusions contained in that report are unassailable: that selected Lao and Vietnamese forces, under the direct supervision of Soviet personnel, have used lethal chemical weapons, including prohibited toxins, since 1976 at least, and that Soviet forces in Afghanistan have used a variety of lethal and non-lethal chemical agents since the December 1979 invasion.

The United States also submitted a followup report to the U.S. Congress and the United Nations in November of 1982 providing further evidence and details of chemical weapons use in Southeast Asia and Afghanistan.

Mr. Rostow added that the United States continued to be active in the Committee on Disarmament in Geneva to develop a draft convention which would ban the development, production, and stockpiling of chemical weapons. He noted that the United States, along with many other delegations at the Committee on Disarmament, were insisting that such a convention contain effective verification provisions.

In the area of biological weapons, Sweden introduced a resolution on November 19 recommending that the states parties to the 1972 Biological and Toxin Weapons Convention hold a special conference as soon as possible "to establish a flexible, objective and non-discriminating procedure to deal with issues concerning compliance with the Convention. . . ." The Soviet Union made known its strong objections to this resolution when it was considered in the First Committee. The General Assembly adopted the resolution on December 13 by a vote of 124 (U.S.) to 15, with 1 abstention. (Resolution 37/98 C.)

COMPREHENSIVE TEST BAN

In both 1980 and 1981 two resolutions were adopted by the General Assembly on the subject of a comprehensive nuclear test ban (CTB). At the 37th General Assembly, Mexico and Australia introduced their draft resolutions on November 19. The U.S.S.R. introduced its draft on October 19. The Mexican resolution called for urgent negotiations on a CTB by a working group of the Committee on

Disarmament as well as an immediate moratorium on nuclear testing. The Soviet resolution called for prompt Committee on Disarmament negotiations on a treaty prohibiting "nuclear weapon" tests (i.e., not encompassing so-called peaceful nuclear explosions) as well as a testing moratorium by "all the nuclear weapon states," to begin from a date to be agreed by them "well in advance." The Soviet resolution also had annexed to it the text of basic provisions of such a test ban treaty.

The Australian resolution, cosponsored by both neutral/nonaligned and some Western states, noted that an *ad hoc* working group of the Committee on Disarmament had been established to discuss and define verification and compliance issues involved in a nuclear test ban, while also urging the submission to the General Assembly of a draft test ban treaty "at the earliest possible date."

The U.S. position on the question of a comprehensive nuclear test ban was set forth in the First Committee by ACDA Director Eugene Rostow on October 27. He said:

> The United States does not believe that under present circumstances a comprehensive nuclear test ban would reduce the threat of nuclear war, because such a ban could not reduce the threat implicit in the existing stockpile. Furthermore, the verification of a CTB would remain a serious problem. As yet we see no definitive solution. However, I want to repeat here what I said earlier in the year to the Committee on Disarmament: a comprehensive nuclear test ban remains a long-term United States arms control objective. With that objective in mind, we proposed that the verification aspects of the nuclear test ban problem be discussed in a working group of the Committee on Disarmament—a proposal which ultimately won approval by the Committee.

Mr. Rostow noted, however, that the Soviet Union, having agreed to the mandate for the working group, sought to obstruct effective work in the group. Thus, the group had failed to agree on a program of work, much less fulfill its mandate.

The Mexican resolution was approved in the First Committee by a vote of 104 to 2 (U.S.), with 19 abstentions and in the General Assembly by a vote of 124 to 2 (U.S.), with 19 abstentions. (Resolution 37/72.)

The Soviet resolution was approved in the First Committee by a vote of 98 to 4 (U.S.), with 24 abstentions and in the General Assembly by 115 to 4 (U.S.), with 26 abstentions. (Resolution 37/85.)

The Australian resolution was approved by the First Committee by a vote of 92 to 1 (U.S.), with 34 abstentions. The General Assembly adopted it by 111 to 1 (U.S.), with 35 abstentions. (Resolution 37/73.) All the resolutions were adopted by the General Assembly on December 9.

NUCLEAR-WEAPON-FREE ZONES

Protocol I of the Treaty of Tlatelolco

The Treaty of Tlatelolco,[10] which entered into force in 1968, and its two Protocols provide for a nuclear-weapon-free zone in Latin America. Protocol I, which is open to adherence by non-Latin American states which administer territory within the over 7.5 million square mile area, provides that these states shall not store or deploy nuclear weapons within those territories. Protocol II, which is open to adherence by nuclear-weapon states, provides that these states shall not contribute to acts involving a violation of the Treaty and not use or threaten to use nuclear weapons against the regional states which are party to the Treaty. The United States signed protocol I in May 1977 and ratified it in November 1981. The United States signed Protocol II in April 1968 and ratified it in May 1971.

This Treaty, and Additional Protocol I in particular, have been the subject of a series of UN resolutions urging ratification by all possible states. Because of U.S. ratification of Protocol I in 1981, the United States is no longer an object of those resolutions as in past years. France is the only eligible country not ratified Protocol I; however, it signed the Protocol in 1979. On November 18 Mexico introduced, on behalf of itself and 19 other Latin American cosponsors, a resolution which regretted France's non-ratification and urged France not to delay any further. The resolution was approved by 119 (U.S.) to 0, with 7 abstentions. In the plenary Assembly the outcome was similar: 136 (U.S.) to 0, with 7 abstentions. (Resolution 37/71.)

In explaining the U.S. vote, Ambassador Louis G. Fields stated that we consider it ". . . unfortunate and inappropriate that the sponsors of this resolution have chosen to single out one country for not ratifying this Protocol. It must be noted that there are other countries, indeed countries within the region, that have not signed or ratified the Treaty. The United States would like to see the Treaty in force for all the countries of the region. Therefore, we would urge all the states that are eligible to adhere to the treaty to sign it and take the necessary steps to bring it into effect."

African Nuclear-Weapon-Free Zone

Since 1961 resolutions calling for the establishment of Africa as a nuclear-weapon-free zone have been recurrent. As during the previous years, in 1982 two related resolutions were introduced in the First Committee on November 17 by the OAU Chairman, Kenya.

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[10] Treaty for the Prohibition of Nuclear Weapons in Latin America, done at Tlatelolco (Mexico City), February 14, 1967.

The first, "Implementation of the Declaration on the Denuclearization of Africa," *inter alia*, (1) condemned nuclear collaboration with South Africa; (2) called for the termination by all states, corporations, institutions, and individuals of military and nuclear collaboration, including dual purpose materials, such as computers and electronic equipment; (3) requested the Security Council to take enforcement measures including closing loopholes in the arms embargo; and (4) demanded that South Africa submit its nuclear installations to IAEA inspection. When the issue came up for a vote, the United States joined the United Kingdom in voting against the paragraph referring to terminating provision of dual-use items and abstained on the full resolution which was approved 110 to 0, with 13 (U.S.) abstentions. It was adopted in the plenary Assembly by a vote of 134 to 0, with 13 (U.S.) abstentions. (Resolution 37/74 A.)

The second resolution, entitled "Nuclear Capability of South Africa," deplored South Africa's "frenzied acquisition of a nuclear weapons capability" and requested the Security Council to take enforcement actions. The United States voted against this resolution on the grounds that it contained inappropriate and, therefore unacceptable language. It was approved in the First Committee by a vote of 107 to 6 (U.S.), with 10 abstentions and in the General Assembly by 132 to 4 (U.S.), with 11 abstentions. (Resolution 37/74 B.)

Speaking in explanation of the U.S. votes in Committee, Ambassador Fields stated that "the United States consistently has long supported an African nuclear-weapon-free zone" but doubted whether these resolutions would serve that end. He went on to say "the United States not only is in full compliance with the Security Council mandated arms embargo against South Africa, but took action in 1963, well before the Security Council decision, to become the first major country to impose a unilateral arms embargo. Since 1975 the United States has restricted the sale of nuclear materials or any other items that could be used in developing South Africa's capacity to produce nuclear weapons. However, we do so as part of a larger concern with non-proliferation, which this specific resolution, because of its focus on only one country, tends to obscure."

The United States also took exception to the provision in the resolution by which the General Assembly appeared to be instructing the Security Council to undertake specific actions, on the grounds that the General Assembly is limited by the Charter to making recommendations to the Security Council.

Middle East Nuclear-Weapon-Free Zone

Egypt introduced a resolution in the First Committee on November 17 to give impetus to its longstanding initiative to promote a

nuclear-weapon-free zone in the Middle East. The resolution originally suggested that adherence to the Non-Proliferation Treaty would contribute to establishment of a zone, called for all regional countries to place their nuclear activities under IAEA safeguards and, pending establishment of a zone, invited nuclear-weapon states and states of the region to refrain from any action counter to the proposal for a nuclear-weapon-free zone in the Middle East. The resolution also called for the Secretary General to prepare a report on the implementation of the resolution. The resolution was revised by Egypt to obtain consensus approval. The revised version, tabled on November 24, eliminated the call for adherence to the Non-Proliferation Treaty and IAEA safeguards. It was then approved in the First Committee and in the General Assembly, in both instances by consensus. (Resolution 37/75.)

South Asian Nuclear-Weapon-Free Zone

Consistent with its longstanding proposal, first made in 1974, Pakistan again introduced in the First Committee on November 8 a resolution calling for a South Asian nuclear-weapon-free zone. The resolution, as in previous years, reaffirmed the concept of such a zone, urged continued efforts to establish the zone, requested states in the region to avoid any action contrary to this objective, and called for positive actions by nuclear-weapon states and the Secretary General in furtherance of the nuclear-weapon-free zone.

The resolution was approved in the First Committee by a vote of 79 (U.S.) to 2, with 39 abstentions and in the General Assembly by 99 (U.S.) to 2, with 45 abstentions. (Resolution 37/76.) In explaining his Government's support for this resolution, Ambassador Fields reiterated the U.S. belief that nuclear-weapon-free zones, negotiated and supported by the appropriate parties, can enhance the security of their participants and reinforce non-proliferation goals on a regional basis. He also made clear that the U.S. vote was not directed at any country of the region (India opposed the resolution) and underscored our expectation that all states of the region would refrain from any conduct contrary to the nuclear-weapon-free zone proposal.[11]

Nuclear-Weapon-Free Zone Study

On November 9 Finland introduced, on behalf of a group of eight Western and non-aligned countries, a resolution requesting a new study to review and supplement the 1975 UN study on nuclear-weapon-free zones.

In the First Committee, the United States argued against the proposal on the grounds that the earlier study had been comprehen-

[11] All of the above resolutions were adopted by the General Assembly on December 9, 1982.

sive and that the intervening period had not resulted in any new developments which merited an update of that study.

The resolution was approved in the First Committee by a vote of 125 to 1 (India), with 2 abstentions (U.S., Guyana). The General Assembly adopted the resolution on December 13 by a recorded vote of 141 to 1, with 2 abstentions. India again opposed the resolution, and the United States and Guyana abstained. (Resolution 37/99 F.)

INDIAN OCEAN ZONE OF PEACE

In 1971 the 26th General Assembly adopted resolution 2832 which contained a Declaration of the Indian Ocean as a "zone of peace," which, in essence, called for the great powers to remove their naval forces and facilities from the Indian Ocean. Subsequent annual resolutions endorsed the 1971 Declaration and established an *Ad Hoc* Committee on the Indian Ocean[12] to consider its implementation. We have made our reservations about the 1971 terms of reference clear from the beginning of the deliberations concerning the Indian Ocean as a zone of peace.

In 1980 we joined other permanent members of the Security Council and major maritime nations in accepting the invitation from littoral and hinterland states to join the *Ad Hoc* Committee. Since joining the Committee we have attempted to point out the anomaly of trying to restrict naval forces in the region while ignoring land-based forces such as those now occupying Afghanistan, a country which by definition is a "hinterland" state of the Indian Ocean. We have also consistently opposed the convening of a Conference on the Indian Ocean especially given the Soviet occupation of Afghanistan and the lack of agreement on the basic principles that should govern an Indian Ocean zone of peace.

At the 37th General Assembly, Sri Lanka introduced a draft resolution which regretted that the *Ad Hoc* Committee failed to reach consensus on the convening of a conference in 1983 and took note of the views expressed relating to the convening of a conference during the first half of 1984. The resolution also requested the Committee to continue its work on the necessary harmonization of view on relevant issues. The resolution was adopted without a vote on December 13. (Resolution 37/97.)

NEW TYPES OF WEAPONS OF MASS DESTRUCTION

As far back as 1948, "weapons of mass destruction" have been defined as nuclear weapons, radiological weapons, chemical and

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[12] The 47 members of the Committee in 1982 were Australia, Bangladesh, Bulgaria, Canada, China, Djibouti, Egypt, Ethiopia, France, German Democratic Republic, Federal Republic of Germany, Greece, India, Indonesia, Iran, Iraq, Italy, Japan, Kenya, Liberia, Madagascar, Malaysia, Maldives, Mauritius, Mozambique, Netherlands, Norway, Oman, Pakistan, Panama, Poland, Romania, Seychelles, Singapore, Somalia, Sri Lanka, Sudan, Tanzania, Thailand, U.S.S.R., United Arab Emirates, United Kingdom, United States, Yemen (Aden), Yemen (Sanaa), Yugoslavia, and Zambia.

biological weapons, and "any weapons developed in the future which have characteristics comparable in destructive effect."

In 1975, in accordance with its charges that the United States was developing new and ever more dangerous weapons, the Soviet Union tabled a draft treaty in the then Conference of the Committee on Disarmament in Geneva to ban new weapons of mass destruction. The Soviets were also the principal sponsors of a resolution in the General Assembly that year calling on the Conference of the Committee on Disarmament to undertake negotiations on this treaty. Since that time the Soviet Union and its allies have continued to call for such negotiations, in resolutions presented to the General Assembly each year and in the Committee on Disarmament, the successor to the Conference of the Committee on Disarmament.

The United States and many of its allies have long regarded the Soviet proposal on new weapons of mass destruction as little more than propaganda. The fact is that no one has identified any new types of weapons of mass destruction based on new scientific principles, nor are any presently foreseen. With this in mind, the United States has consistently maintained that while it, like most other governments, would be loathe to see the emergence of any such weapons and is perfectly prepared to keep this possibility under review in the Committee on Disarmament, it is not prepared to undertake negotiations on a convention. Realistically, it would not be feasible to define the scope of such a prohibition or to devise effective verification measures. Thus, such a treaty would be purely hortatory and would depend solely on good faith, a proposition which the United States and other countries consider unacceptable.

As noted above, the Committee on Disarmament has continued to include an item on new weapons of mass destruction on its agenda, and each year discussions have been held with a view to determining whether any such weapons have emerged. These discussions have consistently failed to identify any new weapons and have attracted little interest there.

At the 1982 session of the General Assembly on November 18, Byelorussian S.S.R. introduced resolutions on weapons of mass destruction. The first draft resolution called on the Committee on Disarmament to "intensify" negotiations with a view toward preparing a convention to ban new types of weapons of mass destruction. It also proposed that, as a first step, the permanent members of the Security Council, as well as other "militarily significant states," should issue identically-worded declarations foreswearing any such weapons. The resolution was passed by the First Committee of the General Assembly by a vote of 99 to 0, with 26 abstentions, including the United States and most of its allies. It was subsequently adopted by the Assembly by a vote of 119 to 0, with 26 abstentions (U.S.). (Resolution 37/77 A.)

The second draft resolution was entitled "Renunciation of the use of new discoveries and scientific and technical achievements for military purposes." The draft, *inter alia*, noted that scientific and technological progress had become one of the most important factors of the development of mankind, aware that the time has come to consider ways to solve the problem of renunciation of the use of these new discoveries and achievements for military purposes, called upon all states to ensure that ultimately scientific and technical achievements may be used solely for peaceful purposes.

The draft was approved in Committee on November 26 by a vote of 89 to 10 (U.S.), with 18 abstentions. It was adopted in the plenary Assembly on December 9 by a vote of 114 to 10 (U.S.), with 17 abstentions. (Resolution 37/77 B.)

NUCLEAR WEAPONS IN ALL ASPECTS

The German Democratic Republic, joined by a group of its allies, including the U.S.S.R., submitted a draft resolution in the First Committee entitled "Nuclear weapons in all aspects," which called upon the Committee on Disarmament "to proceed without delay to negotiations on the cessation of the nuclear arms race and nuclear disarmament . . . and especially to elaborate a nuclear disarmament program. . . ."

This resolution was similar to resolutions introduced by the Soviet Union at the 34th and subsequent sessions of the General Assembly. It represents a thinly veiled attempt to blame the United States for the arms race, while at the same time, appealing to the neutral/non-aligned countries by calling for the Committee on Disarmament to initiate negotiations. The U.S.S.R. has always rejected outside involvement in negotiations it has conducted with the United States. Nonetheless, the Soviets evidently sought to exploit non-aligned concerns by calling for the Committee on Disarmament to play some part in nuclear disarmament—a part they have failed to define when this matter has been discussed by that Committee.

The resolution was approved by the First Committee by a vote of 94 to 18 (U.S.), with 10 abstentions and subsequently adopted by the General Assembly on December 9 by a vote of 118 to 19 (U.S.), with 9 abstentions. (Resolution 37/78 C.)

In 1981 Argentina, joined by a large group of neutral and non-aligned states, and under the agenda item on preparations for the second special session of the General Assembly on disarmament, introduced a resolution on "Prevention of nuclear war." As eventually adopted by consensus in the First Committee and the General Assembly, the resolution (36/81 B) urged the nuclear-weapon states to submit "their views, proposals and practical suggestions for ensuring the prevention of nuclear war" to the Secretary General for consideration at the second special session.

On November 17, Argentina introduced, on behalf of a group of non-aligned states, a resolution on the prevention of nuclear war. This resolution requested the Committee on Disarmament to "undertake, as a matter of the highest priority, negotiations . . . on measures for the prevention of nuclear war. . . ." The Western nuclear powers pointed out to the sponsors of the resolution that a more appropriate objective would be the prevention of war, in general, and not just nuclear war. That objective requires, in the first instance, that states cease to violate the Charter's prohibition on the threat of use or use of force against the territorial integrity or political independence of other states. They also pointed out that certain measures to reduce the possibility of the accidental outbreak of war and to increase mutual confidence in the reliability of their deterrent forces had been agreed already between the United States and U.S.S.R. Finally, the West emphasized that important negotiations between the United States and U.S.S.R. on intermediate range and strategic nuclear weapons and on further nuclear confidence-building measures were already underway.

The resolution was approved by the First Committee by a vote of 111 to 0, with 17 (U.S.) abstentions. The General Assembly adopted it 130 to 0, with 17 (U.S.) abstentions. (Resolution 37/78 I.)

NON-USE OF NUCLEAR WEAPONS

As it had in 1978 and subsequent years, India again on October 19 introduced a resolution on the non-use of nuclear weapons. It was joined by 20 other neutral and non-aligned states. As in the earlier resolutions, this one declared that the use of nuclear weapons would be a violation of the Charter of the United Nations and a crime against humanity and, in addition, urged negotiations on an international convention prohibiting the use of nuclear weapons under any circumstances. The resolution called for the negotiations to take place in the Committee on Disarmament and, in a new departure, annexed a draft text of an agreement.

The United States opposed the resolution on the same grounds it had opposed similar resolutions previously. The UN Charter provides no basis for such a declaration; it neither prohibits the use of force in self-defense nor outlaws nuclear weapons for defense or deterrence. In many parts of the world, nuclear weapons are a central part of security arrangements that have maintained peace.

The draft resolution was approved in the First Committee by a vote of 103 to 17 (U.S.), with 9 abstentions and adopted by the General Assembly by a vote of 117 to 17, with 8 abstentions. (Resolution 37/100 C.)

In 1981, a new item on the prevention of nuclear catastrophe was included in the Assembly's agenda at the request of the U.S.S.R.

Under this item the U.S.S.R. introduced a draft resolution proclaiming, *inter alia*, that resort to first use of nuclear weapons was a grave crime against humanity and that there was no "justification or pardon for statesmen who would take the decision to be the first to use nuclear weapons." The United States opposed this resolution (36/100), which was adopted by the Assembly 82 to 19 (U.S.), with 41 abstentions, for the same reasons it opposed the resolution sponsored by India. No basis for such a declaration exists in the UN Charter. This resolution was in fact a challenge to NATO defense doctrine, which does not rule out the possibility of a nuclear response to aggression against NATO countries.

In 1982 Cuba and the German Democratic Republic introduced a resolution which, referring to resolution 36/100, noted that two nuclear-weapon states (the U.S.S.R. and China) had made pledges at the second special session of the Assembly that they would not be the first to use nuclear weapons, and expressed the hope that the other nuclear-weapon states "will consider making similar declarations. . . ." The United States opposed the resolution as it had resolution 36/100 in 1981. It was joined by most of its allies, including France and Great Britain. (China abstained.) The resolution was approved in the First Committee 87 to 19 (U.S.), with 18 abstentions, and adopted in the General Assembly by a vote of 112 to 19 (U.S.), with 15 abstentions. (Resolution 37/78 J.) In explaining the U.S. vote in the First Committee on November 23, the U.S. Representative, Jon Gundersen, stated in part:

> . . . The proposal for declarations of non-first use of nuclear weapons. . . diverts attention from the need to address the danger of war itself (and) from the threat posed by the massive build-up of the strategic and intermediate-range nuclear forces of one bloc of states which my Government has repeatedly detailed. In present circumstances, calls by that side for unenforceable, unilateral pledges are exposed as hollow. The proper place to seriously address these forces and the threat they pose is in the Strategic Arms Reduction Talks and the Intermediate-Range Nuclear Force negotiations.

NUCLEAR FREEZE

Following widespread support voiced by Eastern European and neutral/non-aligned states at the second special session on disarmament for a freeze on nuclear arms, three proposals for such a freeze were introduced in the 37th General Assembly.

India introduced a draft resolution on October 19 which called on the nuclear-weapon states to "agree to a freeze on nuclear weapons, which would, *inter alia*, provide for a simultaneous total stoppage of any further production of nuclear weapons and a complete cut-off in the production of fissionable material for weapons purposes. . . ."

On the same day Mexico also introduced a nuclear freeze resolution, cosponsored by Sweden and subsequently by a number of other non-aligned states. This resolution, in addition to the elements in the Indian resolution, called for a comprehensive ban on the testing and deployment of nuclear weapons as well as of their delivery vehicles. However, it addressed its appeal only to the United States and U.S.S.R. and asked that they unilaterally or jointly "declare" such a freeze for a period of 5 years, "subject to prolongation in case other nuclear weapon states join in such a freeze. . . ."

A third freeze resolution was introduced in the First Committee by the Soviet Union. In addition to calling on all nuclear-weapon states to agree on a nuclear freeze, this resolution also declared that "the deliberate destruction of peaceful nuclear installations even by means of conventional weapons is essentially equivalent to an attack using nuclear weapons. . . ." This latter feature appeared to detract from support for the resolution, because many states wish to have the matter of attacks on nuclear facilities treated in the context of a radiological weapons convention. In any event, the U.S.S.R. withdrew its resolution.

The U.S. Representative, Ambassador John Davis Lodge, speaking on November 18 in the First Committee, stated the U.S. position on the issue of a nuclear freeze:

> . . . A general agreement freezing nuclear forces at current levels would not strengthen international security and, in any case, negotiation of such an agreement would probably not be feasible. It would also undermine ongoing efforts to increase stability and reduce the level of nuclear competition through negotiations already underway in Geneva and longer-term prospects of nuclear disarmament.

The United States and the other Western nuclear powers also pointed out that many elements of a nuclear freeze as envisaged in the resolutions would not allow for effective verification of compliance.

The Indian resolution was approved by the First Committee by a vote of 105 to 16 (U.S.), with 8 abstentions and adopted by the General Assembly by 122 to 16 (U.S.), with 6 abstentions. (Resolution 37/100 A.) The Mexican resolution, as revised, was adopted by the First Committee by a vote of 103 to 17 (U.S.), with 6 abstentions and by the General Assembly 119 to 17 (U.S.), with 5 abstentions. (Resolution 37/100 B.)

NEGATIVE SECURITY ASSURANCES

Non-nuclear-weapon states have long sought guarantees from the nuclear-weapon states that, in exchange for their renunciation of nuclear arms, the nuclear-weapon states would not use or threaten

to use nuclear weapons against them. These guarantees are referred to as negative security assurances. In 1978, during the first special session on disarmament, each of the five nuclear-weapon states, in an effort to meet the concerns of the non-nuclear-weapon states, issued a unilateral statement in some form offering negative security assurances. The U.S. statement, made by Secretary Vance on behalf of the President (and later reaffirmed by ACDA Director Rostow in the Committee on Disarmament in February of 1982), was as follows:

> "The United States will not use nuclear weapons against any non-nuclear-weapons state party to the Non-Proliferation Treaty or any comparable internationally binding commitment not to acquire nuclear explosive devices, except in the case of an attack on the United States, its territories or armed forces, or its allies, by such a state allied to a nuclear weapon state or associated with a nuclear weapon state in carrying out or sustaining the attack.

During the spring 1982 session of the Committee on Disarmament, an *Ad Hoc* working group on negative security assurances was established under the chairmanship of the representative of Pakistan. As a result of its deliberations, the working group submitted a special report to the Committee containing an account of the substantive negotiations during the 1979, 1980, and 1981 sessions, as well as the first part of the 1982 session of the Committee. Contained in the conclusions and recommendations section of the report was the following statement on the status of the deliberations: "Although the negotiations on the subject in the working group have clarified many of the issues involved, the working group has been unable to reach agreement on effective international arrangements to assure non-nuclear-weapon states against the use or threat of use of nuclear weapons." This working group did not meet during the 1982 summer session of the Committee; it decided, instead, to defer further consideration of its work until the 1983 session.

At the 37th General Assembly session, two resolutions were introduced on the subject of negative security assurances. On November 19, Bulgaria introduced a resolution which, *inter alia*, requested the Committee on Disarmament to continue its negotiations on negative security assurances at its 1983 session; it also called upon all states participating in the negotiations to make efforts "to elaborate and conclude an international instrument of a legally binding character" on the matter. The Bulgarian resolution also called upon all nuclear-weapon states to make "solemn declarations, identical in substance, concerning the non-use of nuclear weapons against non-nuclear weapon states having no such weapons on their territories, as a first step toward the conclusion of an international convention, and recommended that the Security Council should examine such declarations and, if they all meet the above-mentioned objective, should adopt an appropriate resolution approving them. . . ."

The United States has on many occasions, in the United Nations and the Committee on Disarmament, indicated its willingness to consider a single form of negative security assurance that would safeguard the security requirements of each of the nuclear-weapon states and their respective allies and also meet the desires of all non-nuclear-weapon states as long as it was along the lines of the NSA offered by the United States. The United States has continued to support efforts by the Committee to reach agreement on a common approach, and, in particular, a common formula. However, inasmuch as the Bulgarian resolution contained a provision stating that only those states that do not have nuclear weapons on their territory, rather than all non-nuclear-weapon states, should receive assurances, a concept the United States rejects, the United States voted against the resolution. This measure was approved in the First Committee on November 23 by a vote of 84 to 17 (U.S.), with 19 abstentions. The vote on the resolution in the General Assembly on December 9 was 108 to 17 (U.S.), with 19 abstentions. (Resolution 37/80.)

A second resolution on negative security assurances considered by the 37th General Assembly was introduced by Pakistan on November 10 in the First Committee. This resolution closely resembled similar resolutions introduced in prior years by Pakistan on this issue. It focused on the role of the Committee on Disarmament in dealing with this issue and recommended that the Committee actively continue negotiations "with a view to reaching early agreement and concluding effective international arrangements" on negative security assurances. The resolution also appealed to all states, especially the nuclear-weapon states, "to demonstrate the political will necessary to reach agreement on a common approach and, in particular, on a common formula which could be included in an international instrument of a legally binding character. . . ." While the United States has continued to participate in the search for a "common formula," it recognizes that agreement on such a common formulation on a negative security assurance that would safeguard the security requirements and desires of all concerned would be extremely difficult. The United States also believes that reaching agreement on "effective international arrangements" involves more than just the "political will" of states. Interests crucial to national security for all states—including, of course, those prepared to have it both ways—are involved. Accordingly, as it had in the past, the United States abstained on this resolution, which was approved in the First Committee on November 23 by a vote of 104 to 0, with 3 (U.S.) abstentions. The resolution was adopted in the General Assembly on December 9 by a vote of 144 to 0, with 3 (U.S.) abstentions. (Resolution 37/81.)

NON-STATIONING OF NUCLEAR WEAPONS

Since 1978 the General Assembly has passed a resolution each year calling upon all nuclear-weapon states to refrain from stationing such weapons on the territories of states where there are currently none. The Soviet Union was the originator of this scheme, and was for several years the principal sponsor of these resolutions. They were widely seen by the United States and its allies as designed for political and propaganda effect rather than as serious arms control proposals. In commenting on the Soviet resolutions, the United States pointed out that they were obviously aimed at the NATO Alliance's arrangements for stationing nuclear-weapon systems in Europe, and that these systems are part of the Alliance's deterrent forces, which have played a vital role in maintaining the peace.

The Soviet non-stationing concept has undergone various refinements since its introduction in 1978. In 1979, for example, the resolution called for all states to submit their views on the non-stationing question to the Secretary General, who was requested to prepare a report on the subject for the Assembly. In 1980, the resolution called on the Committee on Disarmament in Geneva to proceed without delay to develop an agreement on non-stationing. This feature has been retained in subsequent years' resolutions.

In 1981, a further new element was added, this time a paragraph calling on nuclear-weapon states "to refrain from further action involving the stationing of nuclear weapons on the territories of other states. . . ." This provision was clearly aimed at the planned modernization of NATO's nuclear forces in Europe and designed to undercut the U.S. position in the negotiations with the Soviet Union on intermediate range nuclear forces, which at the time were just getting underway in Geneva.

The 1982 version of the non-stationing resolution represented a further refinement. Hungary was the principal sponsor, as it had been the previous year. Like the 1981 version, it called on the Committee on Disarmament to proceed without delay on "talks on the non-stationing issue with a view to elaborating an international agreement." The resolution called on nuclear-weapon states to refrain from stationing such weapons on the territories of states where there are none at present, and to refrain from "further action involving the stationing of nuclear weapons on the territories of other states." A new paragraph called upon all nuclear-weapon states "to freeze qualitatively nuclear weapons on the territories of other states." These last two provisions were obviously aimed directly at NATO's nuclear force modernization programs. The paragraph on a qualitative freeze, for example, was clearly aimed at the planned deployment in Europe of the new Pershing II missile, a

deployment which is one of the principal issues in the U.S.-Soviet negotiations in Geneva on intermediate range nuclear forces.

Continuing the trend of the past several years, support for the non-stationing resolution declined once again in 1982. The resolution was approved by the First Committee by a vote of 55 to 19 (U.S.), with 44 abstentions. It was subsequently adopted by the Assembly on December 3 by a vote of 70 to 18 (U.S.), with 51 abstentions. (Resolution 37/99 A.)

CONFIDENCE-BUILDING MEASURES

Recalling the 36th General Assembly's resolution on confidence-building measures, the Federal Republic of Germany introduced a draft resolution on confidence-building measures at the 37th session on November 17 in the First Committee. This resolution urged all states to "encourage and assist all efforts designed to explore further the ways in which confidence-building measures can strengthen international peace and security. . . ." The United States, along with 35 other states, cosponsored this resolution. It was approved in the First Committee on November 22 and adopted in the General Assembly on December 13 by consensus. (Resolution 37/100 D.)

The resolution noted that while confidence-building measures cannot serve as a substitute for concrete disarmament measures, they play a very significant role in achieving disarmament. The resolution further invited all states to consider the possible introduction of the measures in their particular regions and recommended that all states consider the inclusion of a reference to or an agreement on confidence-building measures as appropriate, in any joint statements or declarations of a political nature.

The sponsors also requested the Disarmament Commission to consider the elaboration of guidelines for appropriate types of confidence-building measures and for the implementation of such measures on a global or regional level. It further asked that the Commission submit a progress report to the 38th session of the General Assembly.

CUT-OFF OF FISSIONABLE MATERIAL FOR WEAPONS PURPOSES

As it has for several years, Canada introduced a resolution to the First Committee of the 37th General Assembly entitled "Prohibition of the production of fissionable material for weapons purposes." This year's resolution followed the same pattern as those of previous years, calling for the Committee on Disarmament, at an appropriate stage, ". . . to pursue its consideration of the question of an adequately verified cessation and prohibition of the production of

fissionable material for nuclear weapons and other nuclear explosive devices. . . ."

The United States has subscribed to the concept of a prohibition of the production of fissionable materials for weapons purposes since the idea was first examined by the international community in the early 1960's in the Eighteen Nation Disarmament Committee in Geneva. However, the United States abstained on this resolution, as it did the previous year, in the belief that it would not be realistic to pursue such negotiations in the near term because it would be extremely difficult to verify the cutoff of production of such materials.

The First Committee approved the resolution on November 24 by a vote of 104 to 0, with 21 (U.S.) abstentions. It was adopted by the General Assembly by a vote of 122 to 0, with 22 (U.S.) abstentions. (Resolution 37/99 E.)

RADIOLOGICAL WEAPONS

Each year since 1979 the General Assembly has adopted a resolution supporting the negotiation of a convention to ban the development, production, stockpiling, and use of radiological weapons. It was in that year that the United States and the Soviet Union submitted an agreed joint proposal on the major elements of such a treaty to the Committee on Disarmament in Geneva. These resolutions have, for the most part, been uncontroversial and have passed each year by consensus.

The 1982 version of the resolution on a radiological weapons convention, introduced in the First Committee on November 16 by the Federal Republic of Germany, and subsequently sponsored by six other countries, was essentially the same as previous ones. It requested the Committee on Disarmament to continue its negotiations on a radiological weapons treaty. One new element in the resolution was a paragraph requesting the Committee to continue its search for a solution to the question of prohibiting attacks against civil nuclear facilities. Some members of the Committee have argued that a ban on such attacks should be part of a treaty on radiological weapons, on the grounds that they might result in widespread releases of radioactivity. The United States has taken the position that the Committee should continue to address this question, without prejudice to our own ultimate position on the issue.

As in past years, the 1982 resolution on radiological weapons was adopted by consensus in both the First Committee and the General Assembly. (Resolution 37/99 C.)

PREVENTION OF AN ARMS RACE IN OUTER SPACE

As was the case the previous year, the 37th General Assembly passed two resolutions on the subject of outer space arms control.

The first was introduced by Italy on behalf of 16 other countries, which requested the Committee on Disarmament to continue its consideration of the question of outer space arms control measures, particularly measures dealing with anti-satellite systems. The resolution was approved by the First Committee on November 26 by a vote of 92 (U.S.) to 0, with 29 abstentions. It was subsequently adopted by the General Assembly by a vote of 112 to 0, with 29 abstentions. (Resolution 37/99 D.)

The second resolution was sponsored by a group of neutral and non-aligned states, principally Egypt and Sri Lanka. This resolution called for the Committee on Disarmament in Geneva to establish an *ad hoc* working group to undertake negotiations "on an agreement or agreements . . . to prevent an arms race in outer space in all its aspects." In October Mongolia had tabled its own resolution on outer space arms control, but later withdrew it and supported, instead, the non-aligned resolution.

The non-aligned resolution was adopted by the First Committee on November 26 by a vote of 118 to 1 (U.S.), with 7 abstentions. It was adopted by the General Assembly 138 to 1 (U.S.), with 7 abstentions. In a brief explanation of its vote, the United States said that it shared the concerns expressed by many delegations over the possibility of aggressive military uses of outer space, but that the tenor of the resolution was too onesided on the question of military activities in space. It was noted that many military space systems are in fact defensive and serve vital, stabilizing purposes. (Resolution 37/83.)

STRATEGIC ARMS LIMITATIONS TALKS

Over the years, the General Assembly has passed resolutions dealing with the U.S.-Soviet negotiations on strategic arms reductions, generally welcoming the conclusion of previous negotiations and urging the two participants to undertake further efforts in this field. As it had in previous years, Mexico took the lead on this issue at the 37th General Assembly, introducing a resolution on November 19 which dealt with both the negotiations on long-range intermediate nuclear forces, known as INF, and the START negotiations on strategic nuclear forces. Both negotiations were well underway at the time.

The Mexican resolution called on the Governments of the United States and the Soviet Union to submit to the Secretary General of the United Nations not later than September 1, 1983, a joint report or two separate reports "on the stage reached in their . . . negotiations," for consideration by the 38th General Assembly.

The United States voted against this resolution. Ambassador Fields, speaking in explanation of vote in the First Committee on

November 23, pointed out that the United States fully supported the principle of keeping the United Nations and its member states informed of the state of such negotiations and fully recognized that the negotiations are of the greatest interest to the world community. He noted that the Final Document of the General Assembly's first special session on disarmament in 1978, which the United States had supported, called for the United Nations to be kept "appropriately informed" of the course of such negotiations "without prejudice to the progress of negotiations." With this in mind, the United States had provided a full and detailed exposition of the state of these two negotiations in the remarks of ACDA Director Rostow to the First Committee on October 27. Ambassador Fields went on to emphasize, however, that the United States could not undertake to provide the United Nations with a further report on these negotiations by a specific date. To do so might very well prejudice these highly complex and sensitive negotiations by forcing the two parties to "play to the galleries and public forums." Ambassador Fields noted, in particular, that the nature and timing of any information which could be made available would depend on the state of the negotiations. He added that it would be unwise for the two parties to divert their energies away from the negotiations themselves and into what could be very difficult and time-consuming preparation of reports.

The resolution was approved by the First Committee on November 23 by a vote of 99 to 1 (U.S.), with 28 abstentions (including the Soviet Union). It was subsequently adopted by the General Assembly by a vote of 114 to 1 (U.S.), with 32 abstentions. (Resolution 37/78 A.)

ISRAELI NUCLEAR ARMAMENT

On November 18, Iraq introduced a resolution entitled "Israeli Nuclear Armament." Iraq had introduced a similar measure in several previous General Assembly sessions. This resolution requested, among other things, that the Secretary General keep Israeli nuclear activities under constant review and that the Security Council investigate Israeli nuclear activities and collaboration of other states in these activities.

When the First Committee took a vote on this measure, Ambassador Adelman noted that the unbalanced way in which the resolution had been drafted was not helpful to collective non-proliferation efforts—efforts very important to the United States. Ambassador Adelman stated that the resolution's singling out and condemning one state alone was objectionable, inasmuch as the problems in the region were of much broader scope. The United States voted against this resolution, which was approved by the First Committee on November 24 by a vote of 91 to 2 (U.S.), with 30 abstentions. The General Assembly adopted the measure on December 9 by a vote of 106 to 2 (U.S.), with 34 abstentions. (Resolution 37/82.)

WORLD DISARMAMENT CAMPAIGN

The World Disarmament Campaign is a Mexican initiative arising from the Final Document of the first special session on disarmament, calling for "mobilizing world public opinion on behalf of disarmament." The United States expressed two principal concerns when the Campaign was first proposed in 1980. First, we expressed serious doubt that the Soviet Union and other totalitarian governments would permit any free airing of international security or disarmament issues. Second, we noted that it was not the function of the United Nations or of governments in democratic societies to "mobilize" public opinion.

Despite United States and Western opposition, the 35th General Assembly adopted a Mexican resolution (35/152 I) requesting the Secretary General to prepare a study on the organization and financing of a Campaign under UN auspices. The study was favorably received and forwarded by the 36th General Assembly to the second special session on disarmament for action. (The United States abstained on that resolution.) At the special session, we raised our objections regarding the asymmetrical and unbalanced nature of the proposed Campaign. After considerable effort, a plan outline acceptable to the United States was developed, thus enabling the U.S. delegation to join the consensus which launched the Campaign. The plan outline, as approved, called for the campaign to be carried out "in all regions of the world in a balanced, factual and objective manner." We have made it clear that we expect the Campaign to be financed out of existing funds and voluntary contributions and not from any expansion of the UN budget.

At the 37th General Assembly the World Disarmament Campaign was considered under the agenda item entitled "Review and Implementation of the Concluding Document of the Twelfth Special Session of the General Assembly." The traditional Mexican sponsored draft resolution calling for a World Disarmament Campaign was adopted without a vote by the plenary on December 13. (Resolution 37/100 I.) Since the resolution approved the general framework of the World Disarmament Campaign as outlined at the second special session on disarmament which called for a balanced, objective, and universal campaign, we were able to join consensus on the initiative.

Following up on the unusually strong and positive language agreed to at the second special session, the United States cosponsored and introduced a draft resolution on Peace and Disarmament movements at the 37th General Assembly which recognized the right of peace and disarmament movements to publicly and freely express their views on disarmament questions and to organize and meet publicly for that purpose. The resolution also called on member states to

facilitate the flow of a broad range of accurate information on disarmament matters, both governmental and non-governmental, to and among their citizens. The resolution was cosponsored by a representative mix of 12 Western and non-aligned nations and was adopted without a vote on December 13. (Resolution 37/100 J.)

Finally, on November 17 Bulgaria introduced a draft resolution on the World Disarmament Campaign which invited all member states to collect signatures in support of measures to prevent nuclear war and curb the arms race. The United States and the Western nations noted that this resolution was singularly propagandistic and tendentious and did not further the expressed purpose of the World Disarmament Campaign. The resolution was adopted by the General Assembly by a vote of 108 to 0, with 33 (U.S.) abstentions on December 13. (Resolution 37/100 H.)

INSTITUTIONAL ISSUES

A number of initiatives aimed at strengthening the United Nations institutional machinery for dealing with disarmament were introduced in the 37th General Assembly. These proposals largely flowed from initiatives which were developed in connection with the second special session on disarmament.

On November 9, Norway introduced a resolution, subsequently sponsored by 35 states, under the heading of the "Report of the Committee on Disarmament." The resolution noted that it had not been possible to complete action at either the second special session or the subsequent meeting of the Committee on the issue of expansion of its membership and requested the Committee to return to this issue during 1983 and to report to the 38th General Assembly.

Norway introduced another resolution on November 15 on behalf of 40 countries which addressed the status of the UN Institute for Disarmament Research (UNIDIR), which had been established on a trial basis as a result of the first special session on disarmament in 1978. The resolution was designed to make UNIDIR a permanent body. It invited voluntary contributions to the Institute, requested that a statute for UNIDIR be prepared and presented to the 38th General Assembly, and invited UNIDIR to report to the General Assembly on its activities.

A third Norwegian initiative was presented to the First Committee on November 17 in the form of a draft recommendation of the General Assembly to the Secretary General that he revive the Advisory Board on Disarmament Studies.

Sweden, on behalf of 23 other states, introduced a draft resolution on November 18 which noted the increasing responsibilities placed on the UN Center for Disarmament as a result of the second special session, e.g., the conduct of the World Disarmament Campaign, and

requested the Secretary General to elevate the status of the Center into a Department for Disarmament Affairs headed by an Under Secretary General. The resolution specified this should be done within overall resources of the United Nations and that the staffing of the Department reflect fully the principle of equitable geographical distribution.

On November 22 Norway withdrew the four resolutions and submitted a new omnibus resolution which incorporated, with minor changes, the four previous initiatives. One addition to the resolution was a recommendation that the Committee on Disarmament consider designating itself a Conference on Disarmament.

The principal concern of the United States with this series of measures was with their financial implications. The United States had made clear its position that there should be no growth in new programs unless old, marginal programs were eliminated so that the new ones could be accommodated within existing resources. The United States was also concerned that an expansion in the membership of the Committee on Disarmament could undermine the efficient functioning of that body as a negotiating forum and that discussion of an expansion was beyond the scope of the General Assembly. Because UNIDIR is funded in its research activities by voluntary contributions, the United States was not concerned over financial implications which might result from making it a permanent body. Similarly, because the Advisory Board was an ongoing, although at that time dormant, function of the United Nations, the United States did not oppose its reactivation; the United States did, however, believe it should be scaled down in size and was assured that was the intent of the Secretary General. The upgraded status of the Disarmament Center, with its Assistant Secretary promoted to Under Secretary General, did carry minimal financial implications, but the resolution provided that this should be done within existing resources. The United States sought and obtained a statement by the sponsors that the reference to equitable geographical distribution in regard to staffing the new Disarmament Department was fully in consonance with the UN Charter which provides that "the paramount consideration in the employment of staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity."

Other states also had similar concerns with these institutional arrangements. A different concern arose from the Soviet Union which expressed its satisfaction with the present functioning of the Disarmament Center under the supervision of the UN Under Secretary General for Political and Security Council Affairs, who happens to be a Soviet national.

By merging its four resolutions into one, Norway made it necessary to consider them as a package of reforms rather than individual

proposals. The omnibus resolution was adopted by consensus in both the First Committee and the General Assembly. (Resolution 37/99 K.)

Another institutional issue concerned the decision of the second special session on disarmament to increase the number of disarmament fellowships from 20 to 25 per year. A resolution presented by Nigeria on November 4 requested the Secretary General to provide adequate staffing for the increased activities and structure of the program.

The United States had argued during the special session that any expansion in the fellowship program should be accomplished within existing resources or on the basis of voluntary contributions. The final action included a reference to the need to bear ". . . in mind the savings that can be made within the existing budgetary appropriations." When the Nigerian resolution came to a vote in the First Committee and General Assembly, the United States did not oppose its adoption by consensus. (Resolution 37/100 G.)

OUTER SPACE

The Committee on Peaceful Uses of Outer Space, its Scientific and Technical Subcommittee and its Legal Subcommittee met during 1982. The major issues considered were preparations for the Second UN Conference on the Exploration and Peaceful Uses of Outer Space held in August 1982 (UNISPACE '82), direct television broadcasting from outer space, the use of nuclear power sources in space, remote sensing from space, and the geostationary orbit. The subject of "militarization" of space although not on the formal agenda stimulated some discussions in the Committee, its Subcommittees, and UNISPACE '82.

Scientific and Technical Subcommittee

The Scientific and Technical Subcommittee held its 19th session January 11–22 in New York. The Subcommittee considered the preparations for UNISPACE '82, the use of nuclear power sources in outer space, the UN program on space applications and the coordination of space activities within the UN system, questions relating to remote sensing of the Earth by satellites, questions relating to space transportation systems and their implications for future activities in space, and the examination of the physical nature and technical attributes of the geostationary orbit. Other items under consideration included a review of the future role and work of the Subcommittee. The Subcommittee in its role of adviser to the preparatory committee for UNISPACE '82 considered issues related to the Conference and adopted a report dealing with arrangements and preparations.

The UN program on space applications for 1981–82 was reviewed. The program included various training workshops, panels, fellowships, and seminars. It was noted that the 1983 program would take into account the results of the UNISPACE '82 Conference. The Subcommittee continued to note the need for ensuring effective consultation and coordination in outer space activities within the UN system. The UN program on space applications and coordination of UN activities was continued as a priority agenda item.

In the area of the use of nuclear power sources in satellites (NPS) the Subcommittee took note of the conclusions of the NPS working group and recommended that this item be continued on its agenda on a priority basis. Work on questions relating to remote sensing of the Earth was also continued. The view was expressed that it would be desirable to broaden international cooperation in the use of remote sensing data. Remote sensing also was continued on the Subcommittee agenda on a priority basis.

Legal Subcommittee

The Legal Subcommittee held its 21st session February 1–19, in Geneva. Its agenda included consideration of draft principles concerning the remote sensing of the Earth from space; the possibility of supplementing the norms of international law relevant to the use of nuclear power sources in outer space; and matters relating to the definition and/or delimitation of outer space, bearing in mind questions relating to the geostationary orbit. The first two agenda items were considered in Subcommittee working groups.

The question of draft principles governing the use by states of artificial Earth satellites for direct television broadcasting (DBS), which had been considered by the Subcommittee at its 20th and prior sessions, was not on the agenda.

The discussion of remote sensing concentrated primarily on the questions of state responsibility for non-governmental remote sensing activities, prior consent of the sensed state to dissemination of remotely-sensed data, and guaranteed access by the sensed state to primary and analyzed data concerning its territory derived from remote sensing. The U.S. Representative, David H. Small, reviewed the problems inherent in the "prior consent" concept and its adverse consequences for the utility and availability of remotely-sensed data, rejected the proposition that dissemination of information concerning a sensed state's natural resources could violate that state's permanent sovereignty over those resources, stressed the unacceptability of a concept of "state responsibility" broadened to cover terrestrial activities of non-governmental entities, and reiterated the U.S. view that the remote sensing principles under consideration in the Subcommittee could apply to civil remote sensing activities only.

Despite intensive discussion of the various issues involved, no changes were achieved to the draft principles under consideration.

Discussion of the nuclear power sources agenda item focussed primarily on the questions of assistance to states affected by the accidental reentry of spacecraft bearing nuclear power sources and the liability of the launching state in such instances. Responding to a Soviet assertion, the U.S. Representative expressed the view that the affected state has the sovereign right to determine how cleanup shall be affected and to call upon whomever it may chose for assistance in that regard without prejudice to the liability of the launching state for the cost of such cleanup and any other damage that the accidental reentry of its spacecraft may have caused. The United States also reemphasized its willingness to work toward rules relating to safety and notification based on a consensus reached in the Scientific and Technical Subcommittee.

The Legal Subcommittee continued to be divided on the question of the need for a definition or delimitation of outer space. The U.S. Representative, Helen Kupperman, stressed that no compelling case could be made in favor of a definition or demarcation of outer space in advance of a demonstrated need for such a definition or demarcation and without knowing what purpose it would or could serve. On the question of the geostationary orbit, the U.S. Representative noted that the 1967 Outer Space Treaty precludes any claim of national sovereignty with respect to that orbit, and that the orbit must remain free for use by all states without discrimination of any kind and on the basis of equality. The problem of ensuring access to the orbit to meet future requirements could best be met through continuing reassessment of available resources and adjustment of usage patterns within practical means, rather than through rigid *a priori* planning in advance of actual need.

Outer Space Committee

The Committee on the Peaceful Uses of Outer Space held its 25th session March 22–April 1 in New York. Following a general exchange of views, the Committee adopted a report based essentially on the recommendations of the Scientific and Technical Subcommittee and the Legal Subcommittee. The Committee devoted a considerable part of its time to its responsibility as a preparatory committee for UNISPACE '82. Sitting in this capacity, the Committee developed and recommended the draft UNISPACE '82 Conference Report. All but 15 of 430 paragraphs of the draft report were agreed to by the preparatory committee during this session. The committee completed consideration of arrangements for UNISPACE '82.

On the question of nuclear power sources in outer space, the Committee endorsed continued priority attention for this item by the

Scientific and Technical Subcommittee and noted the reestablishment of the Legal Subcommittee working group on this item. Work on the elaboration of a draft set of principles governing the use by states of artificial Earth satellites for direct television broadcasting continued. The Committee established an informal working group to consider this matter; however, agreement was not reached.

The Committee noted the necessity for ensuring continuous and effective consultations on the coordination of outer space items within the UN system, such consultations being particularly useful in helping the Committee and its subsidiary bodies facilitate the practical application of space science and technology in developing countries.

The Committee noted with satisfaction the continued priority accorded to consideration of questions relating to the remote sensing of Earth by satellite including the formulation of draft principles. The Committee also continued its consideration of space transportation systems and expressed awareness of the progress being made in the United States and several other countries.

The Committee decided to continue consideration of matters relating to the geostationary orbit and to the definition and/or delimitation of outer space activities. Continuing the updating of the study of the physical nature and technical attributes of the geostationary orbit was endorsed. The Committee noted the variety of the views expressed on these questions.

During the session concern was expressed by some delegations on military use of outer space. In this connection, the General Assembly's request that the Committee on Disarmament consider aspects of this question was also noted by some delegations. The U.S. Representative, Ambassador Gerald B. Helman addressed the Committee during general debate, described the U.S. activities in outer space, and expressed its commitment to continued progress in peaceful activities in outer space, as well as the desire that UNISPACE '82 advance the application of space technology to the vital needs of states, particularly those of developing countries.

UNISPACE '82

The Second UN Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE '82) was held in Vienna, August 9–21, 1982. Participants from 94 countries developed an extensive report on the present and foreseen applications of outer space technology with particular emphasis on applications benefitting developing countries. The U. S. delegation was headed by James M. Beggs, Administrator of NASA.

The major issues discussed at the Conference included (1) regulation of the geostationary orbit and radio frequency spectrum, (2)

dissemination and continuity of remote sensing data, (3) direct broadcast television satellites and prior consent, (4) technology transfer, and (5) the militarization of space. These issues were defined at some length in the Conference agenda and were explicitly treated in the 430 paragraphs constituting the main substance of the UNISPACE '82 determinations. The agreed Conference Report was adopted by the 37th General Assembly.

In defining our purpose at UNISPACE '82, the United States specifically sought to (1) describe its achievements and future objectives in space, (2) develop its ideas for specific programs of international cooperation involving the public and private sectors, (3) establish sensible priorities in implementing proposals, and (4) demonstrate its space applications which assist economic growth and expansion in developing countries. The United States suggested specific actions, through eight initiatives presented at UNISPACE '82, which demonstrated the importance attached to relating space technology to economic development.

To demonstrate achievements in space technology applications, an exhibit and various technical demonstrations were held in Vienna concurrent with the Conference. The United States designed a very successful pavillion for the exhibit which evidenced the close cooperation between U.S. industry and Government space programs and activities and the major benefits of space technology. The technical demonstrations showed specific development-oriented applications. UNISPACE '82 made several dozen recommendations for future international cooperation and comprehensively analyzed space technology uses.

The Conference recognized both the value and need for cooperation to equitably share the benefits of space technology and, at the same time, each country's own responsibility for effectively utilizing that technology. In summary, UNISPACE '82 dealt responsibly with the issues before it, many of them complex and controversial. The Conference produced informative and serviceable results.

General Assembly Consideration

The Special Political Committee of the 37th General Assembly considered items dealing with "International cooperation in the peaceful uses of outer space" (which included consideration of UNISPACE '82), the "Question of the review of the Convention on International Liability for Damage Caused by Space Objects," and "Preparation of an international convention on principles governing the use by states of artificial Earth satellites for direct television broadcasting." The adoption of a resolution which contained a draft set of principles on direct broadcasting was a significant departure from the usual consideration of issues related to peaceful uses of

outer space in that it was adopted despite a lack of consensus. This issue had been on the agenda of the Legal Subcommittee and the Outer Space Committee for nearly a decade prior to the decision of 16 countries led by Brazil to seek a vote. Intense efforts by the United States and others to secure consensus on a compromise set of principles were unavailing. The resolution, approved in Committee on November 22 by a vote of 88 to 15 (U.S.), with 11 abstentions, was adopted in plenary on December 10, by a vote of 107 to 13 (U.S.), with 13 abstentions. (Resolution 37/92.)

The United States made clear that many of the draft principles were acceptable to it, but that it could not accept (1) principles which called for states to bear international legal responsibility for governmental and non-governmental direct-broadcasting satellite (DBS) activities beyond that currently imposed by international law, (2) ambigious statements of the objectives which DBS is supposed to serve, and (3) a requirement for prior consent of the "receiving state" before establishment of a DBS service.

The other resolutions approved without a vote in Committee on November 19, were adopted by the Assembly without a vote on December 10. The resolution dealing with the work of the Outer Space Committee endorsed its report; noted with appreciation the successful conclusion of the UNISPACE '82 Conference; and decided that the work program of the 22nd session of the Legal Subcommittee should continue on a priority basis to consider legal principles of remote sensing (with the aim of agreeing on draft principles), nuclear power sources, and a definition and/or delimitation of outer space. Further, it endorsed the Outer Space Committee's recommendation that the Scientific and Technical Subcommittee should consider on a priority basis the issues of the space applications program, remote sensing, and nuclear power sources; and also consider space transportation systems, the geostationary orbit, and new projects. (Resolution 37/89.)

The resolution which endorsed the UNISPACE '82 Conference recommendations invited states with major space capabilities to continue to work to prevent an arms race in outer space; decided priorities in the UN Space Applications Program; established an International Space Information Service as a directory of sources of information and data services; and requested the strengthening of the Outer Space Affairs Division with technical personnel to be funded mainly through voluntary contributions and reprograming. (Resolution 37/90.)

The fourth resolution reaffirmed the importance of the Convention on International Liability for Damage by Space Objects. (Resolution 37/91.)

LAW OF THE SEA

Since 1969 the United States has been an active participant in the third series of UN Law of the Sea negotiations. These negotiations

touched on military and commercial navigation and overflight, fisheries, marine scientific research, continental shelf delimitation, marine pollution, dispute settlement, and deep seabed mining. In March 1981 the Reagan Administration announced a major review of all aspects of the Law of the Sea and suspended active U.S. participation in the negotiations.

At the end of the review, it was concluded that the non-seabed mining provisions of the LOS Convention were generally acceptable, but that the Convention's deep seabed mining provisions contained major elements contrary to U.S. interests. On January 29, 1982, the President announced that the United States would return to the Third UN Conference on Law of the Sea to seek changes necessary to correct the unacceptable elements in the regime for deep seabed mining in order to achieve a comprehensive, global agreement on law of the sea.

The final negotiating session of the LOS Conference began on March 8, 1982, and ended on April 30, 1982. During the session the United States demonstrated its flexibility and willingness to negotiate in a variety of ways, only to meet each time with intransigence on the part of certain interest groups at the Conference. U.S. efforts to accommodate other delegations included identification of several alternative approaches to resolving defects in the regime, submission of proposed amendments to the Convention text (which again set forth several possible solutions to U.S. problems) and, finally, subsequent tabling of a revised set of amendments cosponsored by six other industrial states which attempted to take into account the views of other delegations.

Despite the efforts of the United States and some of its allies, no meaningful negotiations took place on the seabed mining provisions of the text, and no satisfactory solutions were reached. Due to the failure of the Conference to achieve a compromise solution satisfactory to all concerned nations, the United States could not support consensus adoption of the Convention text and thus called for a vote on the adoption of the Convention. The United States voted against adoption because the text failed to satisfy all of the President's objectives. The final vote was 130 to 4 (U.S.), with 17 abstentions, and the text was adopted by the Conference.

President Reagan announced on July 9 that the United States would not sign the Convention adopted by the Conference nor participate in the Convention's Preparatory Commission, but would sign the Final Act of the Conference and participate at a technical level in remaining Conference sessions regarding provisions that reflect U.S. interests.

The United States sent a technical level delegation to the LOS Conference's Drafting Committee session in Geneva, July 12–August 20. The United States also sent a technical level delegation to the

LOS Conference plenary session to approve the work of the Drafting Committee, September 22–24 in New York.

The final session of the LOS Conference convened on December 6 in Montego Bay, Jamaica, for the purpose of making closing comments and opening the Final Act and the Convention for signature. The Chairman of the U.S. Delegation to this session, Ambassador Thomas Clingan, submitted a statement on behalf of the United States on December 9. On December 10, the final day of the LOS Conference, the Convention and Final Act were opened for signature. The Convention was signed by 117 nations, while 23 states signed only the Final Act; the latter group included the United States, the United Kingdom, Federal Republic of Germany, Italy, and Belgium.

The Preparatory Commission, established under the terms of the LOS Convention to develop the rules and regulations governing deep seabed mining, was scheduled to begin its work in March 1983. At the 37th UN General Assembly efforts were made by Jamaica and others to assess UN members for the startup costs of the Commission. These countries sponsored a resolution to this effect, which was adopted December 3 by a vote of 135 to (U.S.), with 8 abstentions. (Resolution 37/66.)

The United States voted against the resolution and subsequently announced that it would withhold its share of the Preparatory Commission assessment. The U.S. delegation said it continued to uphold the principle of UN fiscal responsibility; however, the United States believed that funding of the Preparatory Commission was not a proper UN expense, as the Commission was legally independent of and distinct from the United Nations and was not a UN subsidiary organ.

GENERAL POLITICAL PROBLEMS

Question of Peacekeeping

PEACEKEEPING GUIDELINES

Since its establishment by the General Assembly in 1965, the 33-member Special Committee on Peacekeeping Operations has been engaged in a comprehensive review of all aspects of peacekeeping operations, having as one of its main objectives the drafting of guidelines for future operations. The Committee also considers questions related to the practical aspects of peacekeeping operations.

SPECIAL COMMITTEE

The Special Committee on Peacekeeping Operations[13] did not meet in 1982.

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[13] The 33 members of the Special Committee in 1982 were Afghanistan, Algeria, Argentina,

GENERAL ASSEMBLY

The Special Political Committee considered the peacekeeping item at five meetings between November 19 and 30. On November 29 the Chairman presented for consideration a draft resolution which had been prepared following informal consultations. On November 30 the Committee approved the draft resolution without a vote. The resolution reaffirmed the mandate of the Special Committee and decided to include the item on the provisional agenda of the 38th session of the General Assembly.

The General Assembly, on December 10, adopted the resolution without a vote. (Resolution 37/93.)

Efforts Toward Strengthening the United Nations

SPECIAL COMMITTEE

The Special Committee on the Charter of the United Nations and on Strengthening the Role of the Organization[14] held its seventh session in Geneva, February 22–March 19, 1982. Operating through a working group which met in closed meetings, the Committee concluded work on the draft Manila Declaration on the Peaceful Settlement of Disputes. The Committee also continued its consideration of the item on the maintenance of international peace and security begun in 1979. The Special Committee reported on its 1982 session to the 37th UN General Assembly.

GENERAL ASSEMBLY

The Sixth Committee considered the Report of the Special Committee and the item on peaceful settlement of disputes at 14 meetings held between October 18 and December 2. Approximately 70 delegates spoke in the general debate on these items.

U.S. POSITION

On October 27, in the Sixth Committee, the U.S. Representative, Carol M. Schwab, stated that the completion of the draft Manila

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Australia, Austria, Canada, Denmark, Egypt, El Salvador, Ethiopia, France, Federal Republic of Germany, Guatemala, Hungary, India, Iraq, Italy, Japan, Mauritania, Mexico, Netherlands, Nigeria, Pakistan, Poland, Romania, Sierra Leone, Spain, Thailand, U.S.S.R., United Kingdom, United States, Venezuela, and Yugoslavia.

[14] The 47 members of the Special Committee are Algeria, Argentina, Barbados, Belgium, Brazil, China, Colombia, Congo, Cyprus, Czechoslovakia, Ecuador, Egypt, El Salvador, Finland, France, German Democratic Republic, Federal Republic of Germany, Ghana, Greece, Guyana, India, Indonesia, Iran, Iraq, Italy, Japan, Kenya, Liberia, Mexico, Nepal, New Zealand, Nigeria, Pakistan, Philippines, Poland, Romania, Rwanda, Sierra Leone, Spain, Tunisia, Turkey, U.S.S.R., United Kingdom, United States, Venezuela, Yugoslavia, and Zambia.

Declaration on the Peaceful Settlement of Disputes was a noteworthy achievement in that it was a step toward enhancing the principle of the peaceful settlement of international disputes. However, she continued, the Declaration could only assist in implementing that principle if member states muster the political will necessary to make use of the Charter-based mechanisms dealt with in the Declaration.

With respect to the question of the maintenance of international peace and security, Ms. Schwab reiterated U.S. readiness to discuss any and all proposals aimed at improving the functioning of the UN system. However, she registered U.S. disappointment once again at the debate in the Special Committee on the proposals listed under the maintenance of international peace and security item. Acknowledging that the responsibility for this situation was borne by all members of the Special Committee, she suggested that the rational course remained to focus first on the areas of agreement with a view to implementing immediately practicable measures of reform for strengthening the system.

DRAFT RESOLUTIONS

On October 27, Romania, on behalf of 40 states, introduced a draft resolution approving the Manila Declaration on the Peaceful Settlement of Disputes. The Committee approved this draft resolution by consensus at the same meeting and also decided without a vote to recommend that the item entitled "Peaceful settlement of disputes between states" remain on the agenda of the 38th General Assembly.

On November 29, Libya, on behalf of five states, introduced a draft resolution requesting that the Special Committee examine the "abuse" of the unanimity rule (veto) in the Security Council.

On November 30, the Philippines, on behalf of 49 states, introduced a draft resolution to continue the Special Committee's mandate. Reflecting the positions expressed during debate on the item, the draft resolution requested the Special Committee both to accord priority to those proposals on the maintenance of international peace and security, including those relating to the functioning of the Security Council, and to examine proposals before it with a view to according priority to those areas on which "general agreement" is possible and to make recommendations thereon.

On December 1 the U.S. Representative, Robert B. Rosenstock, introduced an amendment to the draft resolution. The amendment would have added a paragraph as follows:

At the same meeting the representative of Australia pursuant to rule 116 of the rules of procedure, made a motion, the effect of which was that the Committee

would not consider further the Libyan draft resolution. The motion was adopted by a vote of 52 (U.S.) to 32, with 24 abstentions.

The Committee then rejected the U.S. amendment to the Philippine draft by a vote of 12 (U.S.) to 85, with 11 abstentions.

The Committee then proceeded to hear a request from the Soviet Union that separate votes be taken on the words, "and to make recommendations thereon," contained in operative paragraph 3 (b) of the draft resolution and that a separate vote be taken on operative paragraph 5 (a), which included a reference to proposals concerning the functioning of the Security Council. By recorded votes, the Committee retained the phrase in paragraph 3 (b) by a vote of 94 to 16 (U.S.), with 3 abstentions and also retained paragraph 5 (a) by a vote of 87 to 14 (U.S.), with 11 abstentions. The Sixth Committee then approved the draft resolution as a whole by a vote of 99 to 0, with 15 (U.S.) abstentions.

On November 15 the General Assembly adopted by consensus the resolution on the peaceful settlement of disputes containing the Manila Declaration. (Resolution 37/10.)

In a statement afterward, the U.S. Representative, Senator J. Bennett Johnston, stated that the United States was privileged to have participated actively from the beginning in the elaboration of the Manila Declaration and declared that the document represented an important and timely reaffirmation of the principle that disputes must be settled by peaceful means. He also noted that the Declaration contained compromises and was not, therefore, as forceful and explicit as the United States would have liked in some areas such as individual settlement and the need for the Security Council to be involved at an early stage in dispute settlement.

On December 16 the General Assembly adopted by a recorded vote of 125 to 0, with 17 (U.S.) abstentions, the resolution continuing the mandate of the Special Committee on the Charter. (Resolution 37/114.)

Strengthening International Security

In 1969 the Soviet Union proposed an agenda item for the General Assembly on the "Strengthening of international security." The Assembly adopted a Soviet-sponsored declaration on this topic in 1970 that touched on the full range of UN activity, including peaceful settlement of disputes, strengthening peacekeeping procedures, disarmament, colonialism, racial discrimination, self-determination, and closing the economic gap between developed and developing countries. Resolutions calling for implementing the declaration have been considered annually since 1971 by the General Assembly. Although the United States voted in favor of the initial Declaration,

it has often abstained or voted against subsequent resolutions under this item on the ground that they contribute little to promoting peace and respect for the purposes and principles of the UN Charter. Moreover, some of these resolutions have contained elements unacceptable to the United States.

In recent years the Non-aligned have increasingly used this item as a vehicle to advance cardinal tenets of non-aligned doctrine—anti-colonialism, the new international economic order, support for national liberation movements, and national sovereignty over natural resources.

In 1979 the General Assembly, in the course of its consideration of the item on strengthening of international security, decided to consider as a separate agenda item, beginning at its 36th session, the subject of the development of relations of good-neighborliness between states. In 1982 an additional item, entitled "Implementation of the collective security provisions of the Charter of the United Nations for the maintenance of international peace and security," was included in the agenda at the request of Sierra Leone. The item on strengthening of international security and these two closely related items were referred to the First Committee of the 37th General Assembly, where they were considered jointly at 10 meetings between November 29 and December 9. The Committee approved three draft resolutions on these topics.

An omnibus draft resolution dealing with various aspects of the 1970 Declaration was introduced by Yugoslavia. The draft resolution, *inter alia*, called upon all states (1) to implement the Declaration on the Strengthening of International Security; (2) to contribute to the establishment of the new international economic order; (3) to reaffirm the legitimacy of the struggle of peoples under colonial domination, foreign occupation, or racist regimes to achieve self-determination; and (4) to reiterate their support for the Indian Ocean and the Mediterranean as zones of peace. The draft resolution was approved by the First Committee on December 9 by a vote of 90 to 0, with 18 (U.S.) abstentions and adopted in plenary session on December 16 by a vote of 116 to 0, with 19 (U.S.) abstentions. (Resolution 37/118.)

In explaining the U.S. position before the First Committee, the U.S. Representative commended the sponsors of the resolution for highlighting human rights and other fundamental freedoms and, in general, for their attempt to fashion a consensus draft. He stated that the United States abstained because of the resolution's open-ended support for the 1971 Indian Ocean Zone of Peace mandate and national liberation movements, as well as reference to respect for sovereignty over natural resources without mention of compliance with international law.

Sierra Leone introduced a draft resolution calling on the Security Council for a study of the question of the implementation of the

collective security provisions of the UN Charter, and requesting it to report to the 38th General Assembly. The resolution was approved without a vote in Committee on December 8 and adopted by the Assembly on December 16, also without a vote. (Resolution 37/119.)

As it has for the past few years, Romania introduced a draft resolution entitled "Development and strengthening good-neighborliness between states." The draft, *inter alia*, (1) reaffirmed that good-neighborliness conformed with the purpose of the United Nations; (2) deemed it appropriate to clarify the elements of good-neighborliness as part of a process of elaborating, at an appropriate time, a suitable international document on the subject; and (3) invited governments to communicate their views on the matter to the Secretary General. The draft resolution, approved in Committee without a vote on December 9, was adopted without a vote by the plenary on December 16. (Resolution 37/117.)

In explaining why the United States joined the consensus on the resolution, the U.S. Representative noted that his Government firmly believed in the concept of good-neighborliness and the need for all states to comply with existing international norms of behavior in dealing with their neighbors. However, he made clear that the problem was not the lack of an international document on good-neighborliness, but the lack of respect for international obligations undertaken by all UN member states as enshrined in the UN Charter.

Questions Relating to Information

The Committee on Information, a 67-member standing committee of the UN General Assembly,[15] has a mandate to oversee UN public information activities; to coordinate information activities with UN specialized agencies, such as UNESCO and the ITU, which have operational responsibility for communication and information questions; to promote the establishment of a New World Information and Communication Order (NWICO); and to make recommendations to the General Assembly. The United States was able to join the consensus on the Committee's moderate 1982 report and recommendations to the General Assembly.

The United States was disappointed that the Special Political Committee ignored that consensus and drafted a resolution, in-

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[15] Members of the Committee in 1982 were Algeria, Argentina, Bangladesh, Belgium, Benin, Brazil, Bulgaria, Burundi, Chile, Colombia, Congo, Costa Rica, Cuba, Cyprus, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Finland, France, German Democratic Republic, Federal Republic of Germany, Ghana, Greece, Guatemala, Guinea, Guyana, India, Indonesia, Italy, Ivory Coast, Japan, Jordan, Kenya, Lebanon, Mongolia, Morocco, Netherlands, Niger, Nigeria, Pakistan, Peru, Philippines, Poland, Portugal, Romania, Singapore, Somalia, Spain, Sri Lanka, Sudan, Syria, Tanzania, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States, Venezuela, Vietnam, Yemen, Yugoslavia, and Zaire.

troduced by Colombia, on questions relating to information which contained unacceptable budget add-ons and political content. The budget add-ons continued the trend toward growing UN public information budgets. The resolution also failed to adequately address the need for better evaluation and management of these activities. Other unacceptable features included a call for a survey of private media coverage of Middle East developments, which the United States could not accept because it infringed upon media independence. The vote on this draft resolution, taken in Committee December 2, was 105 to 1 (U.S.), with 1 abstention (Israel). The vote in plenary, on December 10, was 131 to 1 (U.S.), with 1 abstention (Israel). This was the second consecutive year in which the United States had voted against the information resolution in the General Assembly.

In its explanation of vote, the United States said that it could not support further budget growth in public information activities. These activities would benefit from cost-effective management, and the identification of priorities. The United States also said that UN public information activities must be pursued in an objective, nonpartisan way if they were to be credible, and that they must support the free flow of information. Finally, the United States opposed the implied restraints contained in the resolution on the freedom and independence of the private media. (Resolution 37/94 B.)

The United States joined the consensus in both Committee, December 2, and in plenary, December 10, on a separate draft resolution, which, among other things, commended the work of UNESCO's International Program for the Development of Communication, a vehicle for exchanging information about and promoting assistance for improvements in developing country communications. The United States supports the Program, which can deliver real benefits to developing countries if it continues to operate on a pragmatic, non-ideological basis. (Resolution 37/94 A.)

Part 2

Economic, Social, Scientific, and Human Rights Affairs

Chapter III of the UN Charter established the General Assembly and the Economic and Social Council (ECOSOC) as the principal

organs of the United Nations responsible for the issues covered in Part 2 of this report. ECOSOC's limited membership (54 countries), however, has led the developing countries to prefer the General Assembly and its subsidiary bodies—where they enjoy their maximum voting strength—for substantive discussion and action on international economic issues, especially those directly related to development. As a result, the General Assembly has created entities (described in this part) for substantive discussion and action on international economic issues, especially those directly related to development. These include the UN Conference on Trade and Development (UNCTAD) and the proposed global negotiations. Agreement on the conditions for global negotiations has been difficult to achieve, and they have continued on an informal and sporadic basis.

The General Assembly and these entities constitute an important element of what has come to be called the North/South dialogue between developed and developing countries, which proceeds on the bilateral, regional, and multilateral planes. The North/South distinction between developed and developing countries, however, tends to mask the significant differences within each group and to overlook the high degree of economic interdependence that exists between developed and developing countries.

The General Assembly, in its regular sessions, is organized into seven committees. The Second Committee is responsible for economic and financial affairs and the Third Committee, for cultural, humanitarian, and social matters. Most issues considered by the Committees are forwarded by ECOSOC, but some are introduced initially to the General Assembly for consideration.

ECOSOC consists of its plenary body; five regional economic commissions; eight functional commissions; and a varying number of subcommissions, standing committees, working groups, and expert groups. The regional economic commissions and many of the other bodies are covered in this part.

All elements of the UN system primarily concerned with the issues in this section usually report to ECOSOC or through ECOSOC to the General Assembly. ECOSOC may require changes in the reports from organizations directly subsidiary to it. It is authorized only to comment on reports from other bodies (such as UNCTAD and the specialized agencies) before conveying them to the General Assembly.

ECONOMIC ACTIVITIES

Global Negotiations

In December 1979, the 34th General Assembly adopted by consensus resolution 34/138 calling for "a round of global and sustained

negotiations on international economic cooperation for development." The resolution provided for universal UN participation in the simultaneous negotiation of major international economic issues in the fields of raw materials, energy, trade, development, money, and finance. The resolution directed the Committee of the Whole to work out the procedures, agenda, and time-frame for global negotiations to enable the General Assembly at a special session in 1980 to decide on an effective and prompt beginning of global negotiations.

Although the United States joined in the consensus, two successive U.S. administrations have maintained that procedures and agenda for the conference must be agreed before global negotiations could begin. In particular, the United States has insisted that the conference respect the integrity of the specialized agencies already existing within the UN system, e.g., the IBRD, IMF, and GATT. Our statement in interpretation, delivered at the time the resolution was adopted, covered both of these points. Also, the resolution emphasized the need to establish a new system of international economic relations, the so-called "New International Economic Order." The United States believes that a global dialogue based on the premise that its purpose is to bring about the new international economic order would be confrontational and unlikely to lead to mutually beneficial progress. In addition the resolution is not compatible with the four essential understandings subsequently outlined by President Reagan at the Cancun Summit on October 22, 1981.

He said the talks (1) should have a practical orientation toward identifying, on a case-by-case basis, specific potential for or obstacles to development which cooperative efforts may enhance or remove; (2) should respect the competence, functions, and powers of the specialized international agencies upon which all depend with the understanding that decisions reached by these agencies, within respective areas of competence, would be final; (3) should be toward sustaining or achieving greater levels of mutually beneficial international growth and development, taking into account domestic economic policies; and (4) should take place in an atmosphere of cooperative spirit rather than one in which views became polarized and chances for agreement were needlessly sacrificed.

Global negotiations were discussed during the 36th regular session. This session adjourned, however, with no agreement reached on a new global negotiations resolution. At the end of November 1981 a draft resolution attributed to General Assembly President Kittani was circulated in New York. This resolution would have convened a UN conference for global negotiations in 1982 without prior agreement on procedures and agenda. The draft was carefully reviewed by the highest levels of the U.S. Government, and on December 9 four amendments were offered by the United States in New York which would have brought the draft into line with the four essential

understandings in the President's statement at Cancun. The Group of 77 was unable to agree on a united response to the amendments or any of the other draft resolutions then under consideration. Protection of the integrity of the specialized agencies continued to be the major issue preventing agreement. It was decided on December 18 that further consideration of global negotiations should be deferred to a resumed session in 1982, pending the outcome of informal consultations to be conducted under the guidance of President Kittani.

On March 31, 1982, the Group of 77 in New York countered the U.S. proposal with a new text. This text, however, did not address the concerns of the United States about the integrity of the specialized agencies and would have convened the conference on global negotiations directly, without a preliminary agreement on agenda and procedures. The United States responded to the March 31 proposal of the Group of 77 by supporting a Versailles Summit proposal (June 5–6)[1] which provided a sound basis for proceeding with global negotiations in a manner consistent with the principles outlined by President Reagan at Cancun. Specifically, four amendments to the March 31 draft resolution were offered as a prerequisite to moving ahead. At Versailles the United States made a major concession by agreeing that global negotiations could be launched without a preliminary conference to determine the agenda and procedures for the discussions, provided these amendments were accepted.

The four amendments represent the serious and considered judgment of the heads of state and government at the Versailles Summit meeting. The United States continues to believe that these amendments offer the best basis for proceeding: the provision which requires that any *ad hoc* groups created by the conference not duplicate existing forums is of particular importance. Establishment of competing forums would seriously undermine the ability of the IMF, GATT, and multilateral development banks to carry out their particular and important functions in our general effort to restore global economic health. These institutions have served the international economy well and have been major pillars of the impressive economic and social progress which the world has experienced over the past 30 years. The United States is determined to preserve the mandate and functions of these indispensable institutions.

On June 14, 1982, Canada, on behalf of the summit nations, presented the proposed amendments to representatives of the Group of 77 in New York. The amendments were acceptable to the majority of members, but a few hardliners were opposed. They obtained a Group of 77 consensus for proposing substitute language for key parts of the Versailles amendments. These revisions, however, were

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[1] Countries represented at Versailles: Canada, France, Federal Republic of Germany, Italy, Japan, United Kingdom, and United States.

unacceptable to the Versailles partners since they (1) interpreted resolution 34/138 as the principal basis for global negotiations, and (2) removed Versailles language which would have prohibited formation of *ad hoc* groups that duplicated existing specialized agencies.

No consensus was reached within the Group of 77 to accept the Versailles amendments, and on September 20, the 36th General Assembly approved then President Kittani's recommendation that global negotiations be carried over to the 37th General Assembly.

During the 37th session, Vice President Otunnu, the Permanent Representative of Uganda, had informal consultations with various interested delegations but reported on December 17 that he had made no progress in resolving the impasse on global negotiations. When pressed by the Group of 77 to set a deadline, Ambassador Otunnu agreed to continue his efforts until the end of January 1983. At a January 26, 1983 Friends of the President meeting in New York chaired by him, despite some Group of 77 urgings for immediate action, Ambassador Otunnu recommended the monitoring of developments at the New Delhi Non-Aligned Summit, the Williamsburg Summit, and UNCTAD VI. He would then, at his own discretion, reconvene the Friends of the President group, if it seemed to be warranted.

International Development Strategy

The International Development Strategy (IDS) for the 1980's was adopted by consensus at the 35th General Assembly. The IDS endorses many development principles we advocate. Its sections on social development (i.e., basic human needs) are particularly strong. The developing countries go further than they have before in committing themselves to action to improve housing, education, and the health of their citizens. Employment opportunities, especially in rural areas, are emphasized; and a section on population control is included. The IDS recognizes the importance of accelerated action to increase food production, improve nutrition, and enhance food security in developing countries. It stresses the need for assistance of all types—non-concessional as well as concessional—and from all sources, including the oil-exporting developing countries, to speed development of poorer developing countries. In addition, largely because of U.S. insistence, it initiates in its review and appraisal provisions the first step in a process by which development programs of developing countries will be periodically assessed along with the aid performance of donor countries.

The IDS also has significant weaknesses. It contains an overly ambitious and unrealistic growth target for developing countries in the 1980's—an annual average of 7%. It is too dependent on official development assistance for meeting its goals, calling for all donor

countries to reach an assistance target of 0.7% of GNP. It calls for trade concession beyond those agreed to in the Multilateral Trade Negotiations and includes demands for the restructuring of the international trade, transportation, and monetary systems. One glaring shortcoming is the less than comprehensive treatment of the importance of energy to development. While it contrasts with its predecessors in having a major energy section the new IDS does not adequately recognize the role of energy supplies and prices in development, an omission dictated to the Group of 77 by the oil-exporting states.

IDA implementation is now a standard item on the agendas of almost all UN bodies. In addition, almost all UN resolutions on economic and social development refer to the IDS. Implementation of the IDS, therefore, involves the work programs of practically all UN agencies, and is the subject of close U.S. attention.

On December 1 Bangladesh, on behalf of the Group of 77, introduced in the Second Committee of the 37th General Assembly a draft resolution that dealt with the 1984 review and appraisal of the IDS for the 3rd UN Development Decade. The draft resolution, *inter alia*, created a committee of universal membership to carry out the 1984 IDS review and appraisal (the Second Committee will reconstitute itself as this committee for one session during the 38th General Assembly to organize the review and appraisal process); requested the regional economic commissions to review in 1984 the regional implementation of the IDS; and decided to consider other arrangements necessary to undertake the IDS review and assessment at the 38th General Assembly.

Long-Term Trends in Economic Development

The 32nd General Assembly by virtue of its resolution 32/57 instructed the Secretary General to prepare a report of an overall socioeconomic perspective of the development of the world economy up to the year 2000 with special emphasis up to 1990 and on the problems of developing countries. After almost 5 years of research and the issuance of numerous interim reports, the Secretary General submitted the completed report to the 37th General Assembly.

The Second Committee discussed the report on December 8. The U.S. Delegation commented at length on the report during its consideration in Committee. It was noted that the report was unduly pessimistic regarding the prognosis for economic recovery, the prospects for maintaining a free, open trading system, and the future availability of grain; was biased toward blaming international factors, rather than domestic policies, for the economic problems facing LDCs; and paid insufficient attention to the role of the private sector in development.

A draft resolution on long-term trends in economic development was the subject of extensive debate. The Group of 77 wanted to institutionalize the preparation of future reports on the overall socioeconomic perspective report by requiring the Secretary General to submit a new comprehensive report every 3 years. The United States argued against that requirement, citing the limited utility of frequently redrafting a report that deals with trends that may not change in so short an interval. Resolution 37/249, which was approved in Committee and adopted by consensus, in the plenary Assembly on December 21, was a compromise between those two positions. The Secretary General was instructed to submit a new, comprehensive overall perspective report to the 40th General Assembly in 1985. In the meantime, the current report would be updated for use in the 1984 review and appraisal of the International Development Strategy. Finally, a decision would be taken at the 40th General Assembly regarding the advisability and periodicity of the submission of future comprehensive reports.

Economic Commission for Europe

The Economic Commission for Europe (ECE), established in 1947, is one of five regional economic commissions which report to ECOSOC. It has 34 regular members—the European members of the United Nations plus Canada, Switzerland, and the United States. Other UN member countries (e.g., Japan, Israel) participate in the Commission's work when matters of particular concern to them are considered. Composed largely of developed nations, ECE focuses on problems confronting modern industrial societies, primarily from an East/West perspective. Decisions are normally made by consensus as reached in deliberations between the Eastern and Western caucuses.

ECE carries out its activities principally through 15 specialized committees—Agricultural Problems; Chemical Industry; Coal; Electric Power; Gas; Housing, Building, and Planning; Inland Transport; Steel; Timber; Development of Trade; Water Problems; Conference of European Statisticians; Senior Economic Advisers; Senior Advisers on Environmental Problems; Senior Advisers on Science and Technology; and a number of subsidiary bodies which deal with special problems included in the committees' programs. Additional subjects of interest to the Commission are dealt with by *ad hoc* groups notably the Senior Advisers on Energy, the Group of Experts on Standardization Policies, and the Working Party on Engineering Industries and Automation. From time to time, and often in conjunction with other multilateral organizations such as FAO and ILO, ECE convenes special symposia, seminars, and conferences. Study tours to member countries are occasionally arranged in connection with such meetings. A substantial number of U.S. Government

departments and agencies, as well as Congressional and private sector representatives, actively participate in ECE-sponsored meetings.

The Commission's Executive Secretary Janez Stanovnik (Yugoslavia) retired on December 31, 1982, and was replaced by Klaus A. Sahlgren of Finland. The Secretariat includes a number of economic specialists who service commission meetings, as well as prepare substantive surveys, studies, and statistical compilations for distribution to member governments.

ECE's terms of reference are broad, and over the years the nature of its work has paralleled changing European and Atlantic conditions and concerns. When first established, the ECE's principal focus was on European post-war economic reconstruction. Since then the Commission has evolved into a forum where East and West can consult on economic and technical problems of common interest. Therefore, the ECE acquired under the Final Act of the Conference on Security and Cooperation in Europe a number of responsibilities for multilateral activity in economics, science, technology, and the environment.

The Commission's 37th plenary session was held March 23–April 2, 1982 in Geneva. Delivery of strong opening statements on Poland by the United States, the European Community (EC–10), and Canada provoked sharp and lengthy counterstatements by Warsaw Pact delegations on disarmament, the arms race, El Salvador, and treatment of minorities. Western resolve, anchored on the principle that business as usual was unacceptable, resulted in refusal to acknowledge the Soviet proposal for high-level meetings on energy and transport, as proposed by Brezhnev in 1975, and rejection of important Eastern European-sponsored resolutions. The plenary approved an energy decision which provided that the 5th session of the Senior Advisers on Energy would be convened only after consultation with member governments. By the end of the year, no further meetings had been scheduled.

Other decisions concerned shared water resources, harmonization of summer time (daylight savings) in Europe, standardization, and the work program of the Working Party on Engineering Industries and Automation. In addition the work programs of the ECE and its subsidiary bodies for the biennium 1982–83 were approved.

Economic and Social Commission for Asia and the Pacific

The Economic and Social Commission for Asia and the Pacific (ESCAP) was established in 1947. The United States was one of the original 10 members. Presently there are 35 members and 9 associate members. Five members (France, Netherlands, U.S.S.R., the

United Kingdom, and the United States) are from outside the region, which covers a huge area from Mongolia south to New Zealand and from Iran east to the island countries in the Pacific. ESCAP's headquarters is in Bangkok, although some subsidiary bodies and other activities are located in other Asian cities.

ESCAP's primary role is to serve member countries by identifying problems in the areas of social and economic development; by providing a forum for debate on development issues; by providing technical assistance and advisory service; and by helping members attract outside assistance. It does not itself provide capital resources but helps establish institutions to attract funds for regional and subregional projects which, in turn, supply development assistance.

The annual Commission session provides the main guidance for ESCAP's program and activities while the Secretariat prepares reports, compiles statistics on current economic issues in the region for distribution to member governments, and prepares and services the meetings of the Commission and the following nine substantive committees: Agricultural Development; Development Planning; Industry; Human Settlements and Technology; Natural Resources; Population; Social Development; Statistics; Trade; and Shipping, Transport, and Communications. The present work program and activities are concentrated in six priority areas: food and agriculture; energy; raw materials and commodities; transfer of technology; international trade; and integrated rural development.

ESCAP's 38th plenary session was held in Bangkok from March 23 through April 2, 1982. Two major resolutions were discussed. One dealt with renewing efforts for agreement on the early launching of global negotiations. The other requested the Executive Secretary to study food security issues and activities which ESCAP might undertake to promote food security. The United States abstained from joining the consensus on the first resolution because it interfered with talks then underway in New York on global negotiations.

A special plenary meeting of the heads of delegations was held to discuss food supply and distribution in Asia and the Pacific. The special meeting had been convened to enable a frank and free exchange of views on the subject. The matter was further considered by the Commission in subsequent meetings since "food supply and distribution systems" was the theme topic for the session. The ESCAP Secretariat had prepared a special study on the subject.

The special study had evolved the concept of "effective food supply." Some delegations felt that the concept should be implemented immediately. The majority of others, including all the developing countries, called for a more cautious approach. The proposed institutional framework needed to be studied further, harmonizing the diversity of conditions that prevailed in the region. The special study had steered away from the financial arrangements

necessary to achieve food security, overlooking the fact that the interests of the food exporting developing countries depended heavily on exports of agricultural commodities for their foreign exchange earnings and therefore should be adequately protected.

A resolution was adopted which requested the Executive Secretary and a high-level group of experts (1) to undertake studies on the feasibility of subregional and regional food security arrangements, a trade information and management network relating to food and agricultural input, and increasing the flow of financial resources from external and internal sources for food and agriculture; (2) to submit conclusions on the timing, funding, functional and operational modalities, and organizations framework, paying due regard to the proposal to establish an Asia-Pacific food bank; and (3) to report on the implementation of the resolution at the 39th session.

Other resolutions passed concerned, *inter alia*, a proposal for a Transport and Communications Decade for Asia and the Pacific, preparation for the observance in 1985 of International Youth Year, and the role of a unified approach to development planning. The Soviet Union and other Communist nations pushed for this last resolution but did not have the support of the developing nations. As a result, the U.S.S.R. had to settle for a Japanese proposal to have interested countries submit studies on the application of a unified approach to development planning at their own expense.

The United States contributes financially to ESCAP through its payment of 25% of the UN general budget and by participating in individual ESCAP programs.

Economic Commission for Latin America

The Economic Commission for Latin America (ECLA) was established in 1948 as a regional organization to promote the economic and social development of Latin America and to strengthen economic ties among Latin American countries, and between them and the rest of the world. To this end, ECLA produces studies of various sectors and issues within the Latin American economy, analyzes economic and social conditions in the region, reviews the progress of development plans and programs, and provides training and technical assistance. ECLA has 34 Western Hemisphere members (including Canada and the United States), 4 non-regional members (France, the Netherlands, Spain, and the United Kingdom), and 3 associate members (Monserrat, the Netherlands Antilles, and St. Kitts-Nevis). ECLA has its headquarters in Santiago, Chile, and has branch offices in Washington and six Latin American cities.

ECLA's Committee of the Whole met twice in 1982. The first meeting was an extraordinary session held in New York on July 22 to discuss international assistance to flood ravaged Honduras and

Nicaragua. The extraordinary session of the Committee passed a resolution by consensus that urged ECLA member governments, international organizations, and multilateral development banks to, *inter alia*, increase the flow of donations to Honduras and Nicaragua or increase their access to concessional loans in response to the emergency. The United States joined the consensus on the resolution, but noted that its language regarding preferential access to markets for Honduras and Nicaragua was premature in view of the development of the Caribbean Basin Initiative. The second meeting of the Committee of the Whole took place in New York on December 2–3. It adopted the work program for the 1984–85 biennium, and resolutions on: Decentralization of the Economic and Social Activities of the United Nations; the Calendar of Conferences for 1984–85; Support for the Emergency Economic Situation in Bolivia; and the Activities of the Caribbean Development and Cooperation Committee.

The principal item discussed at the second meeting was the work program which consisted of 14 major programs and 140 program elements. Most major programs and program elements proved noncontroversial and were quickly adopted by the Committee but several were extensively debated. One debate concerned an element that mandated ECLA studies on the economic and social policies of three of the region's Marxist-oriented states. The United States objected to that element on the grounds that studies of the economic and social development of Marxist states would be of little relevance to a region in which democratic values were being reasserted.

Another controversial point was the grouping of all the Caribbean Development and Cooperation Committee (CDCC) activities in a single subprogram within Program 16, International Trade and Finance. ECLA's Caribbean members viewed the new arrangement as a symbolic downgrading of the CDCC in comparison to its previous status as a separate major program. The CDCC members finally acquiesed to the new arrangement after receiving assurances that two additional full-time positions would be provided to the CDCC.

Finally, the United States and many other delegations objected to the inclusion in the work program of a major program on the Law of the Sea and Development. The proposed major program would have focused on Latin American implementation of the concepts, principles and provisions of the LOS Convention. The United States made two points in objecting to the proposal: it was premature, since the LOS Convention is not yet in force; and it would result in ECLA duplicating the activities of the UN Secretariat unit responsible for the LOS Convention. In response to these objections, which were echoed by other delegations, Executive Secretary Iglesias proposed that a subprogram on ocean resources be included in the natural resources major program. The subprogram would focus on the role

that the oceans and their resources play in regional development. In addition, ECLA members would receive at their request assistance in understanding the contents of and opportunities contained in the LOS Convention. Iglesias' proposal was adopted by consensus.

Economic Commission for Africa

The Economic Commission for Africa (ECA) was established in 1958 as a subsidiary body of ECOSOC. Full membership is limited to independent African countries of which 51 are presently members. The United States, while not a member, supports the Commission's activities by maintaining liaison with ECA Headquarters in Addis Ababa, attending many of its meetings as an observer, and providing financial and technical assistance.

ECA is charged with: (1) promoting the economic and social development of Africa; (2) strengthening economic relations among African countries and territories; (3) undertaking studies on economic development; (4) collecting, evaluating, and disseminating economic and technical information; and (5) helping formulate policies to promote economic development. ECA also provides advisory services to its members in various economic and social fields.

The Eighth Annual Meeting of the ECA Conference of Ministers was held in Tripoli, Libya, April 27–30. The meeting was attended by 35 African members, a decline in attendance of full members in comparison to the preceding year. Also in attendance were 24 observers, including various European and Eastern European countries, and representatives from a number of international organizations. The United States, due to our broken relations with Libya did not attend the Conference, nor did Egypt or Sudan. The most actively discussed issue was the World Bank Report on Accelerated Development in Sub-Saharan Africa (The Berg Report). Many of the delegates found serious fault with the Report for being counter to the principles expressed in the Lagos Plan of Action and specifically for nelegating industrialization to the secondary role, failing to give due consideration to exogenous factors contributing to African economic deterioration and emphasizing an export oriented development strategy. These criticisms were the basis of the "Declaration of Tripoli" issued on the last day of the meeting.

The Declaration was adopted on April 30 and, *inter alia*, stated that the African Ministers responsible for economic development and planning declared that the strategy recommended in the World Bank Report regarded industrialization and economic cooperation and integration in Africa as longer-term issues and completely disregarded external factors as being major constraints on African development and economic growth. Furthermore, the strategy adopted approaches, concepts, and objectives divergent from those of the

Lagos Plan of Action and the Final Act of Lagos, as well as fundamentally contradicting the political, economic, and social aspirations of Africa. They affirmed that those goals and objectives remained the authentic and authoritative goals and objectives for Africa; called upon members of the ECA to continue with the full implementation of the Plan of Action at all levels; and urged the international community to provide aid and technical assistance to African countries within that framework.

Other subjects of discussion were increased Afro-Arab cooperation and a request to the United Nations for more funds. The 9th Annual Meeting, the ECA's Silver Jubilee Anniversary, is to be held at Addis Ababa in 1983.

Economic Commission for Western Asia

The Economic Commission for Western Asia (ECWA) came into existence on January 1, 1974. The August 1973 ECOSOC resolution 1818 (LV) that approved its establishment provided that "the Commission shall consist of the states members of the United Nations situated in Western Asia which at present call on services of the UN Economic and Social Office in Beirut." That wording limited the original membership to 12 Arab states (Egypt and the PLO were admitted in 1977)[2] and effectively excluded Israel, even though it is a UN member of the region involved. The United States objected at that time, considering that the language was contrary to the terms of the UN Charter. The United States likewise objected in 1977 when ECWA recommended a change in the terms of reference to grant full membership to the PLO. ECOSOC approved the admission of the PLO to full ECWA membership by a vote of 27 to 11 (U.S.), with 12 abstentions. The United States was successful, however, in defeating an effort at the 1979 summer conference of ECOSOC to expel Egypt from ECWA. ECWA has recently moved its headquarters from Beirut to Baghdad because of war damage to Beirut. In its substantive work, ECWA continues to be overshadowed by other regional organizations to which its members belong.

The 9th session of ECWA was held in Baghdad May 8–12, 1982. In addition to the ECWA members, several countries attended the meeting as observers, including the Soviet Union and the United States. The Commission adopted several resolutions, among them one that took note of the agreement reached between the PLO and ECWA Secretariat regarding a census of the Palestinian Arab people. The resolution urged states which host Palestinians to provide the PLO with all information needed to implement the census and to allow it to take the measures necessary to carry out the

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[2] ECWA members in 1982 were Bahrain, Democratic Yemen, Egypt, Iraq, Jordan, Kuwait, Lebanon, Oman, Qatar, Saudi Arabia, Syria, United Arab Emirates, Yemen (Aden), and the PLO.

census operation. Another resolution requested the Executive Secretary, in receiving requests for assistance from the PLO, to be guided by the scale on which the Commission provides assistance to the least developed countries of the region. The Commission also endorsed the Medium-Term Plan for the period 1984–89 which recommended that ECOSOC establish a standing committee composed of all members of the Commission for that program. ECWA is funded by the UN general budget and obtains support for individual programs from member states.

United Nations Development Program

The United Nations Development Program (UNDP) is a voluntary fund which finances the world's largest multilateral program of grant technical assistance. Established in 1966 through the merger of two earlier UN programs, the Special Fund and the Expanded Program of Technical Assistance, UNDP was created to be the main UN mechanism for funding technical assistance activities. However, in recent years the proportion of UN technical assistance activities funded by the UNDP has decreased significantly. In 1982 UNDP funded 48.3% of UN grant technical assistance. For the first time, however, technical assistance financed under World Bank loans and IDA credits for the categories "training" and "consultants" exceeded the value of the grant assistance provided by UNDP. Technical assistance is provided by the UNDP to developing countries and territories at their request, with increasing emphasis on assisting the poorest countries. In 1982 UNDP projects were underway in some 150 countries and territories.

Projects of a few months to several years in duration, in fields such as agriculture, industry, education, health, economic policy and planning, transportation and natural resource exploration, comprise the major part of the UNDP program. The program also undertakes preinvestment and feasibility studies intended to promote developing country and external investor interest in capital projects which will expand production and employment.

In addition, the UNDP undertakes smaller projects designed to provide fellowships for the training of nationals of developing countries and to provide such countries with required skills through the use of expert advisers. Projects are normally executed for the UNDP by one of the other participating agencies of the UN system such as FAO, UNESCO, WHO, or UNIDO. The UNDP also directly undertakes a small number of projects through its own Office for Projects Execution.

The headquarters of the UNDP are in New York. Its Administrator, Bradford Morse of the United States, took office in January 1976. His second term, which began January 1, 1980, will end December 31, 1983.

GOVERNING AND ADVISORY BODIES

The UNDP is a subsidiary organ of the General Assembly, which sets overall UNDP policy. Its operating policies are established and its programs and budgets approved by a Governing Council composed of representatives of 48 states—21 developed and 27 developing[3]—which reports to the General Assembly through ECOSOC. States are elected to the Council for 3-year terms by ECOSOC; the United States has been a member of the Governing Council since the establishment of the UNDP. The Council holds regular sessions once a year in June.

As provided in various decisions of the General Assembly, the Governing Council also serves as a governing body for the UN Capital Development Fund, UN Volunteers, UN Revolving Fund for Natural Resources Exploration, UN Sudano-Sahelian Office, Financing System for Science and Technology for Development, UN Trust Fund for Colonial Countries and Peoples, Energy Account, UN Special Fund for Land-locked Developing Countries, UNDP Trust Fund for Projects Financed by the Voluntary Fund for the UN Decade for Women, Technical Cooperation Among Developing Countries, UN Fund for Population Activities, and Inter-Agency Procurement Services Unit. The Council also provides general policy guidance for the small program of technical assistance financed from the regular UN budget.

SECRETARIAT AND FIELD ORGANIZATION

The UNDP's administrative apparatus consists of a secretariat in New York and 114 offices in developing countries and territories where programs are being carried out.

Assisted by their staffs, UNDP Resident Representatives advise their host governments on development planning and UN assistance. Within their countries of assignment they coordinate the operation of programs financed by UNDP and (where a program exists) the UN Revolving Fund for Natural Resources Exploration. Resident Representatives also act on behalf of, and furnish support for, such other UN agencies as the World Food Program, the UN Environment Program, the Office of the UN Disaster Relief Coordinator, and the UN Department of Technical Cooperation for Development. In most countries, the Secretary General has designated the UNDP Resident Representative as Resident Coordinator of United Nations Opera-

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[3] The following states were members of the UNDP Governing Council in 1982: Argentina, Austria, Barbados, Belgium, Bhutan, Brazil, Bulgaria, Canada, China, Denmark, Eduador, Federal Republic of Germany, Fiji, France, Gabon, Guinea, India, Italy, Japan, Kuwait, Liberia, Malawi, Malaysia, Mali, Mexico, Netherlands, New Zealand, Niger, Norway, Pakistan, Poland, Romania, Rwanda, Somalia, Spain, Sri Lanka, Sweden, Switzerland, Trinidad and Tobago, Tunisia, Turkey, Uganda, U.S.S.R., United Kingdom, United States, Venezuela, Yemen (Sanaa), and Zambia.

tional Activities for Development. As such, the representatives are responsible for the general oversight of all UN agency development activities in the country to which they are accredited.

PROGRAM DEVELOPMENT: PATTERNS OF DEVELOPMENT ASSISTANCE

Development assistance is provided by the UNDP to individual countries and intercountry activities on the basis of indicative planning figures (IPFs) computed to cover 5-year programing cycles. The first programing cycle extended from 1972 through 1976, the second programing cycle occupied the period from 1977 through 1981, and the third programing cycle began in 1982 and will run through 1986. IPFs in the first cycle were set largely on the basis of the aid supplied by UNDP from 1967 through 1971. That is, countries were given a claim upon UNDP resources during that cycle equal to the percentage of UNDP assistance they actually received in the earlier 5-year period. The IPF figures for the second cycle were calculated primarily on the basis of country populations and per capita GNPs. In 1980, when allocating the IPFs for the third cycle the Governing Council determined, with strong U.S. support, to give highest priority to countries with the lowest per capita GNPs and which were otherwise disadvantaged. (Decision 80/30.)

Over the years there has been a significant shift in the allocation of UNDP's resources. The percentage of UNDP assistance going to countries or territories with per capita GNPs below $500 has increased from 42% in the first programing cycle to a planned 61% in the third cycle. At the same time, the least developed countries have increased their share of UNDP assistance from 24.1% to 40.2%.[4]

There was great concern within the international development community as it became increasingly apparent during 1982 that the UNDP would fall short of achieving the goals it set in 1980 for the amount of development assistance to be delivered during the third programing cycle. It was calculated that program delivery during 1982–86 was likely to be very little greater in nominal terms than during 1977–81, resulting in a reduction in program delivery of 25% in real terms.

PROGRAM DEVELOPMENT: ACTIVITIES AND ANALYSIS

The UNDP Governing Council began its activities in 1982 with an organizational meeting held in New York at UN Headquarters on

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[4] The least developed countries are Afghanistan, Bangladesh, Benin, Bhutan, Botswana, Burundi, Cape Verde, Central African Republic, Chad, Comoros, Democratic Yemen, Ethiopia, Gambia, Guinea, Guinea-Bissau, Haiti, Laos, Lesotho, Malawi, Maldives, Mali, Nepal, Niger, Rwanda, Somalia, Sudan, Tanzania, Uganda, Upper Volta, Western Samoa, and Yemen (Aden).

February 25. In accordance with its tradition, the Council took all its decisions during the year without voting. It chose Douglas Lindores (Canada) as its President, Mohammed Memmi (Tunisia) as lst Vice President, Anton Baramov (Bulgaria) as 3rd Vice President, and Miguel A. Albornoz (Ecuador) as 4th Vice President. B.M. Oza (India) was later elected 2nd Vice President at the Governing Council's meeting in Geneva, May 24.

The Governing Council held a special meeting to consider country and intercountry programs and projects May 24–28, 1982, in Geneva. At that meeting, the Council considered and approved 74 country programs, the regional programs for Africa and Europe, and 9 global projects. The Council was unable, however, to end the special meeting at the prescribed time due to controversies concerning the country program for Argentina and a project for Vietnam which had been submitted for its consideration. The meeting was continued during the Council's regular session and ended on June 18, 1982.

On the grounds that Argentine aggression had caused the hostilities then underway in the Falklands/Malvinas Islands, the United Kingdom prevented approval by consensus of the country program for Argentina. Likewise, the United States objected to the original form of a project for the repair and maintenance of diesel locomotives in Vietnam. This project was before the Council as the result of a compromise, struck when the Vietnam country program was approved in 1981, which provided that any sensitive or extraordinary projects would be brought individually to the Governing Council for consideration. The questions were resolved when the British agreed to permit approval of the Argentine program and it was decided that the Vietnam project would be withdrawn, revised to eliminate its high equipment component, and resubmitted to the Council at a later date.

The 29th session of the Governing Council took place June 1–18, 1982, at Geneva. The meeting began with a 1-week, high-level policy review on the subject of "the future role of UNDP; its structure; and new and specific ways and means of mobilizing increased resources on an increasingly predictable, continuous, and assured basis." Deputy AID Administrator Joseph C. Wheeler, who led the U.S. Delegation during this portion of the meeting, delivered a statement reiterating the U.S. commitment to UNDP. Because consideration of the subject could not be completed within the week allocated, it was decided to refer it to a Committee of the Whole for consideration in the interval between the 1982 and 1983 Council sessions.

The Governing Council was again unable to resolve the question of financial regulations dealing with the issue of non-convertible currencies. The proposal to require contributions to be made in readily usable currencies was deferred to the next session of the Council.

In the face of increasing indications of the failure of UNDP's resources to grow at the 14% average annual rate assumed when the illustrative IPFs for the 1982–86 programing cycle were formulated in 1980, the Governing Council reaffirmed its decision taken the previous year not to reduce the IPFs but to direct the Administrator to assure that expenditures not be allowed to exceed revenues. The Administrator subsequently determined that it would be necessary to hold program expenditures to 55% of the IPFs.

The Council successfully dealt with a number of administrative and financial issues. It took note of the Administrator's decision to reduce the UNDP staff by 7.8% from previously authorized levels in light of the resources outlook. It adopted revisions in the 1982–83 budget flowing from that decision. The Council also authorized the Administrator to propose reinstatement of some staff positions should it prove possible to plan expenditures at or above the level of 80% of the IPFs.

The Intersessional Committee of the Whole (ICW) of the Governing Council held its first meeting September 13–15, 1982, in New York. The meeting consisted of an exchange of views among developing and developed country representatives which provided some additional clarification of the issues confronting the organization. The elaboration of possible solutions, however, was left to future sessions of the ICW.

GENERAL ASSEMBLY

On December 20, 1982, the General Assembly adopted without a vote resolution 37/277, which had been recommended by the Second Committee. The Assembly took note of the report of the 29th session of the UNDP Governing Council, as transmitted to it by ECOSOC. In doing so, the Assembly characterized the financial resources situation of UNDP as "critical" in light of the outcome of the 1982 pledging conference. The Assembly urged all governments whose contributions had not increased by at least 14% annually to "renew their efforts to provide the United Nations Development Program with the resources necessary to establish a sound financial basis for the implementation of the Program's planned activities for the third programing cycle, 1982–86, which, for the purposes of forward planning, would assume an overall average annual growth of resources of at least 14%." It also expressed the hope that the Council's Intersessional Committee of the Whole would succeed in identifying measures that would enable the implementation of the program's planned activities for the third programing cycle, 1982–86, and beyond.

In 1982, the United States continued its earlier strong support for the UNDP. Its contribution of $128.2 million to the organization was

an increase of 1.9% over the previous year. The United States also contributed to the program through active participation in meetings of the Governing Council and ICW and through regular contacts with the administration in New York and with UNDP personnel in the field.

Despite the failure of UNDP resources to increase at the optimistic rate projected in 1980, significant amounts of badly needed technical assistance to a large number of developing countries and territories in 1982 continued to be provided. Although final figures are not yet available, the UNDP estimated late in the year that it would expend $597.3 million during 1982 for country and intercountry programs of technical assistance. The UNDP continued to be the single largest source of grant technical assistance within the UN system and to coordinate the provision of such assistance by the other elements of the system.

CAPITAL DEVELOPMENT FUND

The name UN Capital Development Fund (UNCDF) connotes a development bank that finances large-scale development projects. In reality, UNCDF provides modest grants to small-scale endeavors that use simple technology to create or upgrade agricultural and industrial infrastructure and facilities. Established by the General Assembly in 1966, UNCDF has assisted projects in 42 least developed countries for the benefit of the poorest people.

The UNCDF seeks to improve local production and expand indigenous skills which, in turn, reduces reliance on outside assistance and promotes private initiative. Because the projects are relatively small, they provide the participants with a sense of identification, motivation, and early results. Widest participation by the beneficiary group and the maximum use of local resources is sought. Fund projects have included the building of irrigation and food storage facilities; construction of rural schools and health centers; establishment of cottage industries, cooperatives and credit unions; and the provision of vocational training facilities. Fund activities also create demand for imported goods.

The UNDP Administrator serves as the Fund's managing director. The Fund has a small headquarters staff in New York, but for information from the field and monitoring of projects, it relies on UNDP resources. These include UNDP Resident Representatives, UN specialized agency employees, and experts hired on contract, reporting to UNDP Headquarters through the Resident Representatives.

In 1982 pledges to the Fund totaled $26.8 million, including a U.S. pledge of $2 million. Major donors in 1982 were the Netherlands ($6.0 million), Sweden ($5.9 million) and Norway ($4.8 million).

Developing countries that contributed were China ($564,334), Turkey ($153,153), and Algeria ($32,200). Cumulative contributions since the Fund began in 1966 have been about $179.3 million ($10 million from the United States). At the end of 1982, total commitments were $277 million for 219 projects in 42 countries, while expenditures for the period totaled $132 million. In 1982, the first year UNCDF was responsible for its own administrative expenses, the fund spent 2% of total commitments on administration.

The Governing Council of UNDP provides policy guidance to UNCDF. At the Council's 29th meeting, in June 1982, the UNDP Administrator presented a report on the implementation of the partial funding system that was adopted in 1979. The United States concurred in the recommendation of the Administrator that the partial funding system be continued. The report concluded that partial funding had indeed been successful in resolving the excess liquidity problem that had been created by the need for UNCDF to fund only those projects for which it had the full amount of money. Because of the need to respond more rapidly and effectively to increasing requests for assistance, the report concluded, "it would appear that continuation of partial funding is essential." The report was accepted without vote. The 37th General Assembly cautioned the Fund to monitor carefully its resources in order to avoid overcommitment that could result from overestimating future contributions.

UNITED NATIONS VOLUNTEERS

The United Nations Volunteers (UNV) program, established by the General Assembly at its 25th session in 1970, has been in operation since January 1, 1971. The United States is the founder of the UNV and we have maintained our strong interest in the program over the years. The aim of the program is to provide young volunteers, upon the explicit request and approval of recipient countries, to assist in development activities. Volunteers are recruited on as wide a geographical basis as possible, including in particular the developing countries.

In response to the General Assembly's request, the Administrator of UNDP has been designated to serve as the Administrator of the UNV. A coordinator has been named to promote and coordinate the recruitment, selection, and administrative management of the activities of the volunteers within the UN system.

In establishing the UNV program, the General Assembly invited member states of the United Nations and the specialized agencies, international non-governmental organizations, and individuals to contribute to the Special Voluntary Fund created for the support of the activities of the volunteers.

At its 34th session in 1979, the General Assembly endorsed a recommendation of the UNDP Governing Council that the number of volunteers be increased to 1,000 by 1983. That goal was actually reached in 1981. In January 1983, there were 1,005 volunteers either in service or enroute to service in 91 countries. A total of 736 in-service volunteers came from 53 developing countries (80.4% of total), and 179 came from 20 industrialized countries (19.6%). Of the latter group, 55 (6%) were from the United States.

On December 20, 1982, the 37th General Assembly adopted without a vote a resolution recommended by the Second Committee. The resolution, *inter alia*, noted the contribution of the UNV program as a relevant and cost-effective instrument of international development cooperation, expressed the hope that the UN system and other international organizations would fully utilize the potential of the UNV in the execution of development programs, and appealed to governments, organizations, and individuals to support generously the Special Voluntary Fund for the UN Volunteers. (Resolution 37/229).

As a cooperating agency with UNV, the U.S. Peace Corps works closely with the organization, recruiting and sponsoring volunteers, and providing certain of their expenses. The United States, through the Peace Corps budget, has provided the largest amount of contributions to the Special Voluntary Fund. In 1982, the U.S. contribution was $200,000. In addition, the Peace Corps spent over $300,000 on U.S. volunteer expenses.

UN Industrial Development Organization

The UN Industrial Development Organization (UNIDO) is an autonomous organization within the United Nations, whose purpose is to promote and accelerate the industrialization of developing countries through provision of technical assistance and related services. Membership in UNIDO, which is headquartered in Vienna, is open to all members of the United Nations, its specialized agencies, and the IAEA. The United States has been a member since UNIDO's inception in 1966.

UNIDO's General Conferences, to which all UNIDO member states are invited, meet every few years to recommend long-range policy for the organization. The last General Conference was in 1980 in New Delhi. The Industrial Development Board (IDB) sets UNIDO's policy on a yearly basis and approves UNIDO's actual work program. It is comprised of 45 states elected by the General Assembly on a rotating basis for 3-year terms.[5] The United States began its current term on January 1, 1981.

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[5] Members of the IDB during 1982 were Argentina, Australia, Austria, Belgium, Brazil, Central African Republic, China, Czechoslovakia, Denmark, Ecuador, France, Gabon, German Democratic Republic, Federal Republic of Germany, Guinea, India, Indonesia, Iraq, Italy, Japan, Kenya, Lesotho, Liberia, Madagascar, Malaysia, Mexico, Mongolia, Morocco, Netherlands, Pakistan, Panama, Sierra Leone, Romania, Spain, Sri Lanka, Sweden, Switzerland, Trinidad and Tobago, Turkey, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States, Venezuela, and Zambia.

The 16th session of the Industrial Development Board (IDB) met in Vienna, May 11–28, 1982. The 17th and 18th sessions of the Board's Permanent Committee met in Vienna also on May 10, 11, and 14, and November 15–19, respectively.

The work of the 1982 meetings were generally that of consolidation of UNIDO's past accomplishments, rather than breaking new ground for the organization. There was continuing strong sentiment for tight control over UNIDO's budget and for greater control by member governments over the work of the Secretariat.

The major items of U.S. interest in the 16th session of the IDB were UNIDO's System of Consultations, planning for a proposed Fourth General Conference (UNIDO IV), and the proposed International Bank for Industrial Development. The IDB adopted by reference Rules of Procedure for the System of Consultations which include provisions highly favorable to U.S. interests. The Rules institutionalized the major role played by the private sector—business, labor, consumers, and others—as well as official governmental representatives. In addition, decisions in Consultation meetings would continue to be non-binding and made by consensus. The U.S. Delegation also pressed the UNIDO Secretariat to provide complete cost information on the Consultations and expressed the desire to see tangible results from the meetings, in terms of industrial facilities actually put into operation.

On UNIDO IV, the U.S. Delegation drew attention to the fact that the Constitution of UNIDO as a specialized agency may enter into force before the date tentatively scheduled for UNIDO IV. The delegation suggested that UNIDO IV be postponed or incorporated into the first General Conference of the new organization.

The issue of the establishment of a new international bank to finance industrialization in the developing countries, opposed by the United States, was deferred to the May 1983 session of the IDB.

During the May session of the Permanent Committee, the United States took the lead in praising the Secretariat for progress in designing a system of evaluation. It was emphasized, however, that the United States would watch closely the implementation of that system, which could only be successful if field personnel were convinced of high-level Secretariat commitment.

The prime item on the agenda of the November session of the Permanent Committee was the proposed program of work for the biennium 1984–85. The United States and other major donors expressed their disappointment with the document prepared by the Secretariat, focusing on its lack of priorities and specificity on budget implications.

The United States and other members made specific suggestions for enhancement of certain programs (e.g., conceptual and global studies). The Permanent Committee did not endorse the draft work

program, which was passed on, with members' comments, to the Secretary General for inclusion in the UN biennial budget.

When the summer ECOSOC considered the question of Industrial Development Cooperation, discussion centered on the Industrial Development Board's report of its 16th session, and on UNIDO's conversion to a specialized agency. On July 20, a draft resolution supporting the conclusions of the IDB was adopted by a vote of 42 (U.S.) to 0, with 4 abstentions (Bulgaria, Byelorussia S.S.R., Poland, and U.S.S.R.). (ECOSOC resolution 1982/66.)

Speaking in explanation of vote, the U.S. Representative, Donnell D. Smith, said that since the 17th session of the Board would be considering UNIDO's System of Consultations, neither ECOSOC nor the 37th General Assembly should take any action that might prejudice the outcome of the Board's deliberations. He went on to say that the United States viewed restructuring and structural adjustment in the industrial sector as a global phenomena occuring continuously on a massive scale, primarily as a result of market forces. Although the United States favored policies that would facilitate the increased processing of primary commodities, and the normal evolution of industrial production in response to market forces, his Government could not intervene directly in the process. It was up to each government to take into account the structure of its economy as well as its national plans and priorities.

The 37th General Assembly, on the recommendation of the Second Committee, adopted two resolutions relevant to the IDB on December 20. The first approved the conclusions of the 16th IDB and was adopted by a recorded vote of 129 to 10 (U.S.), with 12 abstentions. (Resolution 37/212.) The negative vote had been explained by the U.S. Representative in the Second Committee when the draft resolution had been under consideration there on December 18. He said that the United States regretted having to vote against the draft resolution as a whole because it recognized the importance of UNIDO technical assistance. It had been unable, however, to accept the approximately $4 million increase in total funding levels envisaged and was especially disappointed that a substantial portion of that amount related to the Fourth General Conference of UNIDO, a meeting which might well not take place under General Assembly auspices since UNIDO might soon become a specialized agency.

The second, which was adopted without vote, outlined a series of intergovernmental consultations on the timing and mechanisms of UNIDO's transition and was adopted without a vote. It also recommended a series of meetings, the principal one of which was to be held for a week in Vienna during the first half of 1983 "to discuss all relevant substantive questions." (Resolution 37/213.)

FUNDING

UNIDO's regular budget funding comes entirely from UN regular assessed contributions. The General Assembly is 1982 approved a revised appropriation of $71,782,400 for the 1982–83 biennium for UNIDO. This is supplemented by voluntary contributions. In 1982, expenditures on administration, research and support services funded from the regular budget, and overhead reimbursements totaled $45.4 million. Voluntary contributions from governments provided most of the financing for UNIDO's technical assistance projects which amounted to $91.9 million, with approximately 74% coming from the UNDP, 22% from the UN Industrial Development Fund and other trust funds, and 3% from the UN assessed budget's regular program of technical assistance.

TRUST FUNDS

The UN Industrial Development Fund received pledges from countries for specific technical assistance projects, as well as unspecified pledges. UNIDO also maintained a General Trust Fund. Major donors to the funds were the Federal Republic of Germany, India, Italy, Saudi Arabia, Sweden, the United Kingdom, and the U.S.S.R. The United States did not contribute to the funds but rather continued its practice of supporting UNIDO financially through its annual voluntary contribution to UNDP and through its assessed contributions to the UN regular budget.

Examples of technical assistance projects in 1982 are the establishment of a pump repair section within an existing foundry in Somalia, creation of a center for the production of school furniture in Rwanda, and upgrading of rural blacksmithy in Nepal.

INVESTMENT COOPERATIVE PROGRAM OFFICE

The Investment Cooperative Program Office is responsible for promoting private and public investment in industrial projects in developing countries. The program is facilitated through a cooperative arrangement with the World Bank and through seven Investment Promotion Services located in New York, Brussels, Cologne, Vienna, Zurich, Tokyo, and Paris.

The Industrial Investment Promotion service in New York, established in 1977, conducts an intensive training program for investment promotion officers from developing countries. Participants learn to use the tools of promotion, analyze budgets, and understand U.S. requirements, attitudes, and practices in international business. Finally, participants put their training to use by negotiating with U.S. investors for projects in their home countries. In 1982 the New

York office stimulated over $75 million in private sector investment in developing countries.

USAID's Bureau for Private Enterprise made two grants to the New York Investment Promotion Service in 1982. The two grants—totaling $260,000—funded the participation of Caribbean trainees in the Program and facilitated the sharing of skills among developing country entrepreneurs. The Overseas Private Investment Corporation continued to provide partial funding for the office.

SYSTEM OF CONSULTATIONS

UNIDO's System of Consultations is a continuing series of international meetings to consider problems encountered by the less developed countries in the industrialization process and ways in which international cooperation can be brought to bear on specific industrial sectors. Each of the 17 consultations held thus far has attracted up to 200 industrial experts from government, business, labor, consumer, and other interested groups from as many as 55–65 countries.

The Third Consultation on the Iron and Steel Industry and the First Consultations on Industrial Financing and on Industrial Manpower Training were held in 1982. U.S. participation in all the consultations relied heavily on the cooperation of private sector experts with the Department of State and other government participants.

The meeting on iron and steel discussed training of manpower in the industry, the financing of iron and steel projects in developing countries, and the entry of newcomers into the steel sector. The conclusions of the Consultation on Industrial Financing recognized the need to improve the economic viability of projects in developing countries to make them attractive to lending agencies, including commercial banks. The Consultation on Industrial Manpower Training stressed the need to cooperate with the International Labor Organization and the UN Educational, Scientific, and Cultural Organization in building the capacity of developing countries to create and sustain their own training systems. None of the three meetings specifically recommended further consultations on their respective sectors.

Planned Consultations in 1983 include the Second Consultations on the Agricultural Machinery Industry and on the Pharmaceutical Industry, and the First Consultation on the Wood and Wood Products Industry.

NEW CONSTITUTION

On April 8, 1979, after 3 years of negotiations, the UN Conference on the Establishment of UNIDO as a specialized agency adopted a

Constitution in Vienna by consensus. The Conference also adopted a Final Act providing for the transition stage. After 80 states have ratified the Constitution, a conference of all ratifying states may consult and determine the date on which the new Constitution should take effect.

By the end of 1982, over 80 states had ratified the Constitution. The United States signed the Constitution in January 1980 and the President transmitted it to the Senate on October 5, 1981, with his recommendation that the Senate advise and consent to its ratification. On June 29, 1982, Assistant Secretary of State Gregory J. Newell testified before the Senate Foreign Relations Committee in favor of ratification of the UNIDO Constitution. The Committee unanimously reported it out on August 10, but the 97th session of Congress ended before the full Senate could act on it.

General Agreement on Tariffs and Trade

The General Agreement on Tariffs and Trade (GATT) is not a part of the UN system,[6] although it was created at a UN-sponsored conference. GATT also cooperates with UN organizations where appropriate. For example, the GATT Contracting Parties and UNCTAD jointly operate an International Trade Center to assist developing countries in promoting their exports.

The General Agreement is an international agreement which entered into force in January 1948. The United States has been a party to the GATT since its inception. In 1982, 88 countries accounting for more than four-fifths of world trade were members of GATT. An additional 31 countries have either acceded provisionally or maintain a *de facto* application of the GATT.

GATT is the principal multilateral instrument through which the United States is working to improve the world trading system. It is both a code of rules and a forum in which negotiations and other trade discussions take place.

The most recent of the seven multilateral rounds of trade negotiations under GATT auspices was the Tokyo Round, launched in September 1973 and completed in 1979. In addition to tariff reductions, now being phased in by the participating countries, for the first time the Tokyo Round produced agreement on rules of conduct in non-tariff areas. Codes on subsidies and countervailing duties, technical barriers to trade, (standards) import licensing procedures, antidumping, and trade in bovine meat, in dairy products, and in civil aircraft all went into effect in January 1980. The codes covering government procurement and customs evaluation went into effect at

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[6] GATT's administrative operations, however, are fully coordinated with the "UN Common System of Salaries, Allowances, and Other Conditions of Service," and GATT participates as a full member in the work of the UN system's Administrative Committee on Coordination (ACC).

the beginning of 1981. GATT's work program adopted in November 1979 gives first priority to implementing the Tokyo Round results, and Committees have been established to administer each of the code agreements.

GATT is intended to play a role in the settlement of trade disagreements between member countries. As in past years, several such matters involving U.S. trade were considered under GATT provisions in 1982.

In November 1982 the Contracting Parties met at the ministerial level for the first time in nearly 10 years. The depressed worldwide trade and economic situation created a climate in which the United States felt it was particularly important to move forward with new initiatives as well as advancing the unfinished business from the Tokyo Round. Changing patterns of world trade, with the growing importance of services trade, and the success of prior tariff-cutting efforts, made it particularly important in our view that the GATT take steps to address the emerging issues of the 1980's. The GATT ministerial was not an easy meeting, and its progress was less than the United States had hoped, but the Contracting Parties did make the important political commitment to resist protectionism. Implementation of the work program authorized by the ministerial will continue through 1983 and beyond. The United States expects, over time, to make considerable progress in areas of major importance including implementation of the political commitment through achievement of a safeguard understanding; trade in agriculture; developing country concerns, which the United States believes can in part be addressed through North/South negotiations to increase market access in both directions; services; and trade in high technology goods.

United Nations Conference on Trade and Development

The United Nations Conference on Trade and Development (UNCTAD) is the organ of the UN General Assembly concerned with discussion of trade and economic development issues between developed and developing countries. The Conference is the UNCTAD governing body and is convened every 3 to 4 years. The next session of the Conference, UNCTAD VI, is scheduled to take place in Belgrade, Yugoslavia, June 6–30, 1983. The first such Conference was held in Geneva, Switzerland, UNCTAD Headquarters; the second in Santiago, Chile; the third in New Delhi, India; the fourth in Nairobi, Kenya; and the fifth in Manila, Philippines.

General Assembly resolution 1995 (XIX) established UNCTAD on December 30, 1964. The members of the Conference are those states which are members of the United Nations, its specialized agencies, or

the International Atomic Energy Agency. Currently 166 countries are members of the Conference and 124 countries are members of the Trade and Development Board (TDB). The Trade and Development Board, UNCTAD's executive body, meets biannually and reports to the Conference and reports annually to the UN General Assembly through the Economic and Social Council.

The TDB held its 24th session in Geneva during March 8–14, 1982. Two resumed sessions were held in Geneva May 11–13 and June 28–July 2. The key issues at these sessions were questions of the site and agenda of UNCTAD VI.

The 24th TDB session decided that Yugoslvaia would host the UNCTAD VI Conference in Belgrade, June 6–30, 1983. In 1979 at the UNCTAD V Conference in Manila, Cuba issued an invitation to host UNCTAD VI, and, since that time, every UNCTAD meeting had been seized with the question of the appropriate venue for the UNCTAD General Conference.

UNCTAD VI AGENDA

Both resumed sessions of the 24th TDB session were concerned with the agenda for UNCTAD VI. In a series of negotiations, the United States was unsuccessful in ridding the agenda of irrelevant items and largely frustrated in getting the items it wanted included in the agenda. One agenda item the United States considered inappropriate was the question of assistance to national liberation movements. Even more important were the omissions from the agenda of language and issues in line with U.S. objectives in trade and development fields as enunciated by President Reagan in Cancun. The United States ultimately voted against the provisional agenda. This step was unprecedented and gave rise to speculation regarding the U.S. position on UNCTAD VI. In fact, the United States desired to have UNCTAD function as it was intended, i.e., to deal realistically with concrete problems of trade and development in the developing world. UNCTAD had veered off that course in recent years, becoming a platform for North/South confrontation and polemic.

The United States hoped that UNCTAD VI would (1) stimulate international trade by opening up markets, both within individual countries and among countries; (2) tailor particular development strategies to the specific needs and potential of individual countries and regions; (3) guide assistance toward the development of self-sustaining productive activities, particularly in food and energy; (4) improve the climate for private capital flows, particularly private investment; and (5) create a political atmosphere in which practical solutions could move forward.

ECONOMIC COOPERATION AMONG DEVELOPING COUNTRIES

The 25th TDB session was held in Geneva, September 6–17, 1982, and a resumed session met on October 19–28, 1982. The key issue at these sessions was the implementation of Economic Cooperation Among Developing Countries (ECDC) in UNCTAD.

ECDC is a concept that recognizes that developing countries are primarily responsible for their own development and that benefits to them may be derived from cooperative programs. UNCTAD has a permanent intergovernmental committee on ECDC, composed of all UNCTAD members, and a work program for facilitating the economic cooperation of developing countries among themselves. The program is concerned, *inter alia*, with trade expansion and promotion, multinational marketing arrangements and efforts toward establishing a Global System of Trade Preferences (GSTP).

In general ECDC is a welcome concept. At UNCTAD V in Manila in 1979, however, the Conference adopted resolution 127 (V) which authorized several meetings on ECDC which were open exclusively to representatives of developing countries. Subsequently, UNCTAD's Trade and Development Board authorized additional meetings from which the Group of 77 excluded the developed and developing countries that are not members of the Group. The developed member countries were opposed to this because of its impact on the concept of universality and the sovereign equality of states.

After prolonged debate and negotiations, the question of implementing ECDC in UNCTAD came to a head at the resumed session of the 25th TDB session. At that session resolution 264 (XXV), sponsored by the Group of 77, was adopted by a vote of 63 to 22 (U.S.), with 9 abstentions. The resolution provided for, *inter alia*, (1) ECDC activities under UNCTAD, financed through the UN assessed budget with possible support from UNDP and other voluntary contributions, where participation in ECDC programs can be controlled by the Group of 77; (2) limitation of developed country observer rights; and (3) restricted distribution of UNCTAD documents. The resolution also requests the Secretary General of UNCTAD to provide, from within existing budgetary resources, the necessary technical support, conference, and secretariat services for holding at UNCTAD Headquarters in April 1983 of a meeting enabling the developing countries participating in the GSTP negotiations, *inter alia*, to define the nature, scope, and extent of the support requested from UNCTAD for them. The resolution undermined the role of UNCTAD's main committee on ECDC (which is supposed to meet regularly) by specifying that the full committee would not meet until September 1983, well after the spring 1983 meeting on ECDC and GSTP.

The United States objected to resolution 264 (XXV) because it (1) arbitrarily defined a developing country as one which belongs to the

Group of 77, while all others are excluded; (2) misused the UN budget, by seeking to charge against the assessed budget conference and secretariat services which are for the exclusive use of the Group of 77 and which can be denied to other UN members; (3) violated the UN principle of sovereign equality because all UNCTAD members are not given equal access to UNCTAD activities; and (4) violated UN principles of universality and sovereign equality of states because non-objective criteria were employed to determine who could participate.

COMMODITIES

Integrated Program for Commodities

International commodity policy remained a key issue to U.S. foreign economic relations in 1982, particularly with respect to relations with the developing countries. Under the framework of the UNCTAD Integrated Program for Commodities (IPC) ongoing discussions have been carried out across a broad range of individual commodities; among the 18 commodities covered are natural rubber, copper, cocoa, sugar, tropical timber, tin, jute, tea, and cotton. The Integrated Program also produced agreement in 1980 on a Common Fund to facilitate buffer stock financing for suitably structured commodity agreements. The United States signed the Common Fund Agreement in November 1980. The agreement has not been considered for ratification, however, since a sufficient number of countries have not joined. The United States is a member of current international commodity agreements covering sugar, coffee, and natural rubber. The United States has decided not to adhere to the new International Cocoa Agreement and the Sixth International Tin Agreement, since the present terms of these agreements do not adequately balance producer and consumer interests.

Coffee

The United States has participated in the International Coffee Organization (ICO) since its founding in 1962. When the 1976 International Coffee Agreement was negotiated, the economic provisions were suspended since prices were at record high levels, following a devastating frost in Brazil in 1975. As production gradually expanded and prices began to fall, ICO members agreed to an export quota regime in October 1980.

The United States was successful in obtaining agreement from coffee producing countries to eliminate manipulative market activities, a precondition for renewed cooperation among consuming and producing members of the ICO. The 1976 Agreement, originally set

to expire September 30, 1982, was extended for 1 year to allow additional time for a new agreement to be negotiated. The 1983 International Coffee Agreement, similar in most respects to the 1976 Agreement, was successfully negotiated in 1982 and will run until 1989.

The principal economic mechanism of the Agreement is a system of export quotas, which are suspended automatically whenever prices exceed the negotiated price ceiling, thereby allowing coffee to be traded freely. The Agreement also benefits consumers by providing growers with the assurance of a stable market so that they may undertake the investments needed to maintain coffee production over the long run.

The major world exporters of coffee are Brazil, Colombia, El Salvador, Guatemala, Ivory Coast, Uganda, and Indonesia.

Sugar

The International Sugar Organization (ISO), with headquarters in London, is the principal forum for dealing with the international sugar trade. It has administered the International Sugar Agreement (ISA) since 1937. Negotiations were completed in 1977 for a new ISA, however, delays in ratification caused the United States to participate only as a provisional member until April 2, 1980, when by unanimous consent, the Senate adopted the implementing legislation.

As a result of ISO Council decisions in March and November of 1980, the Agreement's price range has increased by 2¢ over its original 1977 level. At present the Agreement is intended to stabilize the world price of sugar between a 13¢ per pound minimun and a 23¢ maximum through a coordinated worldwide system of national stocks and export quotas. The ISA protects the interests of consumers by establishing a reserve stocks system under which 2.5 million tons of sugar is set aside and held in exporting countries for release when prices pass ceiling levels. The Agreement's price range is expected to encourage sufficient investment to avoid sharp reduction in supplies and concomitant price increases. At the November 1981 Council meeting, ISO members decided in principle to extend the ISA for 2 years, i.e., through 1984, and to discuss possible accession to the Agreement by the European Community. This decision notwithstanding, ISO members decided at the November 1982 Council meeting to renegotiate the ISA in May 1983 with the objective of bringing a new ISA into force by January 1984.

The Agreement has been viewed as consistent with the broad U.S. foreign policy objectives and with the intent to balance the interests of producing and consuming countries through international cooperation. U.S. membership can also complement its own domestic

price support programs for sugar. The Agreement's price stabilization provisions are intended to assist a number of developing countries whose economic growth can be seriously affected by sharp fluctuations in the price of sugar.

The world's largest producers of sugar, in addition to the United States, are the U.S.S.R., Cuba, the European Community, the Dominican Republic, Brazil, Philippines, Australia, Thailand, and India.

Tin

Since 1956 international tin trade has been conditioned by six successive International Tin Agreements (ITA). The United States has been a member of only the Fifth Agreement which expired on June 30, 1982.

The principal objective of the ITA has been to moderate excessive price fluctuations of tin through use of a buffer stock and export controls. The buffer stock generally buys tin when prices are in the lower sector of the International Tin Council (ITC) price range and sells when they are in the upper sector. Additionally, when the buffer stock has been inadequate to support the floor price, the Council is empowered to institute export controls to reduce the internationally available supply of tin.

A Sixth International Tin Agreement was concluded in June 1981 after 14 months of negotiations. The United States was a participant in the negotiations and worked actively to reach an agreement which would balance producer and consumer interests. In October 1981, following an intensive review of the substance of the new agreement, the United States announced its decision not to join this ITA. The major reason for the U.S. decision was the failure of the Agreement to provide an adequate central role for the buffer stock and to assure its financing.

The United States has informed the ITC and tin producing countries that it intends to continue close cooperation on matters of common concern, including the disposal of tin from the U.S. National Defense Stockpile. In August and December 1982 the United States held consultations with the ITC regarding disposals from the U.S. stockpile and the status of the international tin market.

Natural Rubber

UNCTAD-sponsored negotiations for an International Natural Rubber Agreement were successfully concluded in October 1979. The Agreement entered into force provisionally on October 23, 1980, and the International Natural Rubber Council held its inaugural session in Geneva, November 17–21, 1980. Headquarters of the agreement is

located in Kuala Lumpur, Malaysia, and a Secretariat was established in early 1981. On May 28, 1981, the United States, a provisional member since October 1980, became a definitive member of the Agreement. The Agreement entered into force definitively on April 15, 1982.

The primary objectives of the International Natural Rubber Agreement are to stabilize natural rubber prices without disturbing long-term market trends and to expand natural rubber supplies for importing members at reasonable prices. The principal instrument for achieving these objectives is an international buffer stock fully financed by importing and exporting members. This stock will be 550,000 metric tons of natural rubber—consisting of a normal stock of 400,000 metric tons and a contingency stock of 150,000 metric tons. The buffer stock manager buys or sells from the buffer stock to counteract movements in the world market price of natural rubber below or above certain prescribed reference levels. To help ensure adequate supplies, the Agreement contains no provision for export or production controls. Moreover, it has special clauses aimed at increasing supplies in the event of a potential shortage and provides for other longer-term measures to expand and improve natural rubber production and marketing.

As a definitive member the United States has undertaken a financial obligation to the buffer stock account and Congress appropriated $88 million to cover potential contributions. Natural rubber prices have fallen dramatically in the past 1–2 years. In accordance with the Agreement almost 300,000 metric tons have been purchased for the buffer stock at a cost of approximately $300 million with the United States providing about $40 million. As a result, rubber prices stabilized.

Major exporters of natural rubber are Malaysia (accounting for almost half of the world production), Indonesia, Thailand, Sri Lanka, and Liberia.

Tropical Timber

At six preparatory meetings on tropical timber held under UNCTAD auspices since 1977, a consensus has evolved among consumers and producers that price-stabilization measures such as buffer stocks or supply management mechanisms are inappropriate and technically not feasible for tropical timber. Participants agreed that an international arrangement for tropical timber could incorporate the following four elements: reforestation and forest management, research and development, improvement of market intelligence, and further processing in producing countries.

Participants at the Meeting on Tropical Timber in November 1982 agreed, as the next step, to convene a formal negotiating conference

in Geneva March 14–31, 1983. Japan, which strongly supported an agreement, has provided the UNCTAD Secretariat with draft articles, modeled after the International Jute Agreement, to be used at the Conference.

SHIPPING

In 1982 the activities of UNCTAD's Committee on Shipping were marked by continued work on the issue of open registry shipping. Pursuant to Committee resolution 43 (S-III), UNCTAD convened an Intergovernmental Preparatory Group (IPG) on the conditions for registration of ships to formulate basic principles, which a future UN Conference of Plenipotentiaries would incorporate into an international convention on the subject. The Committee adopted resolution 43 (S-III) over the objections of Group B.[7] The United States decided not to attend the meetings of the IPG.

The IPG met twice during 1982 without coming to any agreement on principles acceptable to all sides. The differences centered on proposals to require minimum levels of manning, management, and equity ownership of vessels by flag-state nationals as a condition of registry.

General Assembly resolution 37/209, adopted December 20, 1982, requested UNCTAD to convene a Preparatory Committee late in 1953 in order to continue work on the basic principles. The UN conference has been scheduled for 1984.

At its last session in June 1982, the UNCTAD Committee on Shipping decided to establish an independent group of experts to study the sea trades in liquid hydrocarbon products. Under the terms of Committee resolution 48 (X), the group will meet twice: once to draft a questionnaire for distribution to major shippers and carriers and then to analyze the replies. The group will use the replies and other relevant information to determine whether shipping companies from developing countries are able to compete freely and fairly in the trades of these commodities.

At the same meeting, the Committee on Shipping also decided in resolution 49 (X) to establish an *Ad Hoc* Intergovernmental Group to Combat Maritime Fraud. The group is to meet in 1983 and submit its recommendations to the Trade and Development Board. Group B abstained on the vote to adopt the resolution, after observing that the International Maritime Organization had recently completed work on the subject.

TRADE

Trade issues, including protectionism, structural adjustment, and trade preferences for developing countries, were discussed extensive-

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[7] Each member of UNCTAD is assigned to Group A, B, C, or D on the basis of a combination of geographic and economic factors. Group B is the group of Western developed countries.

ly at the 24th and 25th sessions of the TDB and at the 11th session of the UNCTAD Committee on Preferences.

Participants at the 24th TDB session reached consensus on a set of agreed conclusions on protectionism and structural adjustment which would guide the Secretariat in its work on the subject in anticipation of a second annual review of the subject during the 26th TDB session in the spring of 1983. The review would address all factors related to the issues of protectionism and structural adjustment in a comprehensive and analytical manner. The second review was also intended to produce suggestions and recommendations directed toward seeking appropriate solutions to problems of protectionism and structural adjustment.

The 25th TDB session was less productive in terms of dealing with issues, as no agreement could be reached on the terms of reference for additional Secretariat reviews of the state of the international trading system. The imminence of the November 1982 GATT ministerial undoubtedly led may countries to take a wait-and-see attitude to further UNCTAD assessments of the efficacy of existing trading rules.

Generalized System of Preferences

In May 1982 the United States participated in the 11th session of the UNCTAD Committee on Preferences in Geneva. Consultations on the harmonization of rules of origin criteria were also held. Attention was focused in 1982 on the "Production Graduation" policy which the United States implemented during the 1980 and 1981 product review cycles. This policy was designed to reduce the concentration of Generalized System of Preferences (GSP) benefits to the five top users, i.e., Taiwan, Korea, Hong Kong, Mexico, and Brazil. "Product Graduation" thus would have the effect of transferring benefits from those countries considered internationally competitive in certain products to the less advanced developing countries. Because of concern over differential or discriminatory treatment of some of its member countries the UNCTAD Secretariat has opposed the "Product Graduation" policy.

The United States continues to support the UNCTAD/UNDP Technical Assistance Project for GSP seminars. The United States provides experts to explain fully to beneficiary country audiences how to expand their GSP duty free exports to the United States. In 1982 the GSP program extended duty free tariff preferences for $8.4 billion worth of exports on about 3,000 separate products coming into the U.S. market from 140 beneficiary developing countries or dependent territories.

TRANSFER OF TECHNOLOGY

Sessions of the UN Conference on an International Code of Conduct on the Transfer of Technology (TOT) have been held since

1978. Agreement has been reached on about three-quarters of the text of a proposed code, but the most difficult issues remain unresolved. These include corporate parent/subsidiary relationships, the binding or voluntary nature of the code, its applicability to intrastate transactions, and the nature of the obligations to be undertaken by private parties to technology transfer, in particular licensing contracts. The United States can support a voluntary code which will promote the transfer of technology on a mutually-beneficial basis consistent with sound commercial practice.

The most recent Conference negotiating session on the proposed TOT code took place March 23–April 10, 1981. Little progress was achieved at that session toward resolving the serious outstanding issues in the code. At its conclusion, the Conference decided to transmit the draft code to the UN General Assembly for appropriate further action, including the possible reconvening of the Conference.

On December 16, 1981, the General Assembly adopted resolution 36/140 which established an Interim Committee of the Conference which met for 4 weeks during 1982 to seek solutions to the outstanding issues. It is important to note that the Interim Committee was not a negotiating body. On December 7, 1982, the UN General Assembly took note of the work of the Interim Committee and requested the Secretary General of UNCTAD to convene a 5th session of the Conference, which was tentatively scheduled for the fall of 1983. (Resolution 37/210.)

Least Developed Countries

In 1979 UNCTAD V adopted a comprehensive and far-reaching resolution on the problems of the least developed countries which, *inter alia*, recommended convening a conference on least developed countries. The General Assembly in resolution 34/203 authorized the UN Conference on Least Developed Countries, to be held in 1981. The Conference adopted the Substantial New Program of Action for the 1980's. In 1982 UN system activity regarding the least developed countries focused on the implementation of this action program.

The UN Secretariat convened the first UN interagency consultations on followup to the action program in Geneva, May 25–26, 1982, chaired by the Director, Office of the Director General for Development and International Economic Cooperation. The main items on the agenda were to ascertain the views of the lead agencies (UNDP and the IBRD) on the results of the country review meetings held since the 1981 Conference; to clarify their positions regarding future meetings particularly with reference to resources, logistics, documentation, and coordination within the UN system; and to consider the broad outlines of the proposals made by UNCTAD, for global monitoring. The proposals basically entail gathering information on

the least developed countries and donors' programs for these countries.

The session concluded that, with respect to the country review meetings, the next stage would be for UNDP and IBRD to organize and coordinate the preparations for such meetings and that the UNCTAD Secretariat and the Office of the Director General for Development and International Economic Cooperation be kept informed of their progress. As for global monitoring, it was understood that existing information would be used as much as possible and UNCTAD would consult with the individual UN organizations concerning elaboration of the global monitoring process.

UNDP and IBRD have played leading roles in managing the country review process mandated by the Substantial New Program of Action. By the end of 1982, arrangements had been made under which 24 of the least developed countries would participate in consultative mechanisms under UNDP or IBRD auspices. UNDP, with UNCTAD's cooperation, conducted a donor/recipient roundtable for Cape Verde in June 1982.

UNCTAD held its second meeting of multilateral and bilateral financial and technical assistance institutions with representatives of the least developed countries in October 1982. The objective of the meeting was to conduct a wide-ranging technical discussion of the basic issues pertaining to the flow of assistance forms of aid to the least developed countries. The United States attended the meeting and successfully deflected UNCTAD's attempts to use it as a forum for increasing its previously defined role in the implementation of the Substantial New Program of Action.

The 37th General Assembly adopted two resolutions by consensus on least developed country issues. The first, adopted December 17, added Djibouti, Equatorial Guinea, Sao Tome and Principe, Sierra Leone, and Togo to the list of least developed countries. With those countries included, the number of officially recognized least developed countries grew to 36.[8] (Resolution 37/133.) The second resolution, adopted December 20, dealt specifically with the Substantial New Program of Action. The resolution, *inter alia*, reaffirmed the following provisions: (1) reaffirmed the principle that the least developed countries themselves have primary responsibility for their own development, (2) called for all countries to support measures designed to implement the Substantial New Program of Action, (3) called for all donor countries to implement their commitments as contained in the Program, and (4) requested that the Secretary General submit a report to the 38th General Assembly on the Program's implementation. (Resolution 37/224.)

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[8] The 31 previously designated least developed countries were: Afghanistan, Bangladesh, Benin, Bhutan, Botswana, Burundi, Cape Verde, Central African Republic, Chad, Comoros, Ethiopia, Gambia, Guinea, Guinea-Bissau, Haiti, Laos, Lesotho, Malawi, Maldives, Mali, Nepal, Niger, Rwanda, Samoa, Somalia, Sudan, Tanzania, Ugania, Upper Volta, Yemen (Aden), and Yemen (Sanaa).

The United States joined in the consensus on both resolutions but noted, following approval of the draft resolution in the Second Committee on December 13 that it refused to acknowledge any commitment to implement certain elements contained in the Program to which it had previously objected. Those elements included a specific target for official development assistance related to GNP, a special drawing rights-aid link, and the concept of international taxation.

Commission on Transnational Corporations

The Commission on Transnational Corporations (TNC) was established in 1975 by ECOSOC resolution 1913 (LVII) to assist the Council "in fulfilling its responsibilities in the field of transnational corporations." Its mandate includes (1) acting as the forum within the UN system for consideration of issues relating to transnational corporations, (2) promoting the exchange of views between and among governments and non-governmental groups, (3) providing guidance to the Center on Transnational Corporations, and (4) developing a Code of Conduct relating to Transnational Corporations.

The Commission held its 8th session in Manila, August 30–September 10, 1982. Dr. Seymour Rubin, U.S. Representative to the Commission, led the U.S. Delegation. The main subjects discussed were: recent developments related to transnational corporations and international economic relations, activities of the UN Center on Transnational Corporations, work related to the Intergovernmental Working Group (IGWG) on the formulation of a Code of Conduct, the progress in the development of a comprehensive information system on TNCs, work related to the *Ad Hoc* Intergovernmental Working Group of Experts on International Standards of Accounting and Reporting, the report on the CTC technical assistance program; reports on the studies on the effects of the operations and practices of Transnational Corporations, work related to the definition of transnational corporations, and the question of expert advisers for the Commission.

As in previous years there was a discussion of the activities of transnationals in South Africa which led to adoption of a highly political resolution that the United States voted against. The United States also opposed a resolution calling on the Commission to hold public hearings on activities of Transnational Corporations in South Africa at its 10th session in 1984. ECOSOC later adopted both resolutions over U.S. opposition.

CODE OF CONDUCT

The Intergovernmental Working Group on a Code of Conduct met three times during 1982 (January 4–15, March 1–12, and May 10–21).

Since 1977 the IGWG has held a total of 17 sessions. As the last report of the IGWG reflects, agreed language was drafted on many provisions (e.g., those dealing with contract negotiations, balance of payments, environmental and consumer protection, disclosure of information, and followup), but there remained serious disagreement on a number of issues of fundamental importance to the United States. These issues include national treatment, nationalization, compensation, jurisdiction, the definition of a TNC, and the preamble. In addition, the status of the Code as voluntary or mandatory was not decided. Throughout the negotiations, the United States maintained that the Code should be: voluntary, balanced in terms of responsibilities of governments and firms, non-discriminatory against TNCs as opposed to domestic enterprises, in accord with international law, and applicable to all enterprises regardless of ownership.

At its 8th session, the Commission adopted by consensus a resolution, subsequently adopted by ECOSOC, calling for a special session of the Commission in early 1983 to complete work on the Code. This special session will be open to participation by all states.

INTERNATIONAL STANDARDS OF ACCOUNTING AND REPORTING

In 1977, a UN Group of Experts produced a report on International Standards of Accounting and Reporting. The group was composed of private (as opposed to government) experts. Its mandate was to improve the comparability of TNC accounting data. Ignoring its mandate, the group put together a report outlining an extensive list of disclosure items, including many not currently required by the United States or other developed countries.

The Commission at its 4th session in 1978 did not endorse the report. It recommended instead that ECOSOC establish a new *Ad Hoc* Intergovernmental Working Group of Experts on International Standards of Accounting and Reporting to formulate priorities for further steps in the field of international standards of accounting and reporting. The Working Group was established by ECOSOC by virtue of its resolution 1979/44 of May 11, 1979.

The *Ad Hoc* Intergovernmental Group of Experts on International Standards of Accounting and Reporting had met twice in 1980, twice in 1981, and twice in 1982 (January 18–29 and March 29–April 9).

At its last session the Working Group adopted its final report which included *inter alia*, (1) a review of its organization and activities, (2) minimum lists of financial and non-financial items for disclosure by TNCs and individual member enterprises—the list records areas of disagreements among delegations so that U.S. positions on contested issues are preserved, (3) a recommendation to

the Commission that TNCs "take into account" the Group's discussion on minimum disclosure items, and (4) recommendations on future UN activities in accounting and reporting. The report also included a commentary on the 1977 report of the Group of Experts. The commentary endorsed a number of principles important to the United States, e.g., the notion that costs of providing information should be proportionate to the benefits received from such information; confidentiality, and non-discrimination between TNCs and national enterprises is standard setting.

A draft resolution on the future work program was recommended by the Commission to ECOSOC that the latter establish an Intergovernmental Working Group of Experts on International Standards of Accounting and Reporting. The resolution, which was subsequently adopted by ECOSOC, also called for the Commission to review the Group's work, mandate, terms of reference, and achievements after 3 years with a view to deciding on the advisability of its continuation. The group would meet for 2 weeks not more than once a year, with the limited mandate, e.g., to consider accounting and reporting issues falling within the scope of the Commission's work; to consult with international bodies; to take into account the *Ad Hoc* Group's work, and report on further steps to achieve the long-term objective of harmonization.

Illicit Payments and Corrupt Practices

The United Nations failed to make any progress on the illicit payments issue in 1982. The *Ad Hoc* Intergovernmental Working Group on the Problem of Corrupt Practices and its successor group the Committee on Illicit Payments, had prepared a partially complete and largely unbracketed draft treaty on illicit payments in the spring of 1979. Further progress has been blocked by the insistence of most developing nations that resolution of the issue be tightly linked to a conference to adopt the Code of Conduct relating to TNCs.

Adoption of a UN agreement on illicit payments would encourage the worldwide application of restrictions similar to those that the United States now enforces against such payments. Lack of UN action on that issue is detrimental to U.S. interests because it places U.S. exporters and investors at a disadvantage compared to their foreign competitors.

United Nations Children's Fund

The United Nations Children's Fund (UNICEF) has grown from an entity created by the 1st session of the General Assembly in 1946 to care for the emergency needs of destitute children, victims of the Second World War, to an organization charged with providing long-

term humanitarian assistance to needy children and mothers in developing countries throughout the world. UNICEF's apolitical character permits it to fulfill its mandate all over the world, including in areas which are of concern to the United States but which are not reached by bilateral American aid.

UNICEF does not receive funds from the regular, assessed UN budget but rather depends on voluntary contributions, which in 1982 came from 137 governments. The United States was the largest contributor, accounting for 22% of governmental contributions to UNICEF general resources. UNICEF, however, is unique in the UN system in that it receives a major portion of its income from private donors. In 1982, UNICEF received 16% of its total income from private contributors and the sale of greeting cards. Private American contributors gave $5.5 million (not counting funds generated in the United States by the sale of UNICEF greeting cards and by a UNICEF concert for Bangladesh). This contribution is largely due to the efforts of the U.S. Committee for UNICEF which has 3 million volunteers who raise funds in 15,000 communities throughout the United States. The U.S. Committee for UNICEF is the largest and among the most active of the 33 national committees which support UNICEF.

In 1982, UNICEF expended $213.1 million on programs in 112 countries. The major types of assistance provided included $60.1 million for clean water supplies and sanitation, $50.7 million for basic child health, $29.1 million for formal and non-formal education, $19 million for child nutrition, $16.3 million for emergency relief, and $15.6 million for social welfare services for children.

In 1982, UNICEF activities on behalf of needy children and mothers in Lebanon were particularly noteworthy. UNICEF personnel remained in place providing important assistance and services in Lebanon throughout the fighting in 1982, exhibiting considerable personal courage and resourcefulness, and was the sole supplier of potable water during most of the seige of West Beirut. In addition, UNICEF made two special appeals to the international community in 1982 in an effort to raise $39 million for emergency relief and rehabilitation in Lebanon. In response, UNICEF received a total of $40.9 million including $13.1 million from the U.S. Government.

UNICEF has its headquarters in New York and its professional staff is headed by an Executive Director, who is James Grant, a U.S. citizen who has held this position since 1980. He receives policy guidance and direction from a 41-nation Executive Board, one-third of whose members are elected annually by ECOSOC for 3-year terms. The Executive Board—of which the United States has always been a member—examines policy questions, and reviews and approves both the Executive Director's proposed budget for UNICEF and his proposals for programs in individual countries. It meets at least once

annually in New York in May, although on occasion, the annual meeting has been held abroad. In addition, the Executive Board may hold special sessions to deal with particularly difficult or time-sensitive problems.

At a special session April 16, 1982, in New York, the UNICEF Executive Board managed to resolve the question of how to expand itself. This brought to an end 2 years of complex negotiations. At the end, the United States achieved all of its major objectives: It managed to prevent the Board from becoming too large, and hence unmanageable, and to avoid giving Eastern Europe, which accounts for a very low percentage of UNICEF contributions, an additional regular seat. The formula, which the special session of the Board agreed to propose, called for expanding the Executive Board from 30 to 41 member states with the seats allocated as follows: 12 seats for the Western European and Others Group (WEOG);[9] 9 seats for African states; 9 seats for Asian states; 6 seats for Latin American states; and 4 seats for Eastern European states. In addition, one seat is to be rotated among the five regional groups in the following sequence: Africa (1982–85), Latin America (1985–88), Asia (1988–91), WEOG (1991–94), and finally Eastern Europe (1994–97).

On April 28, 1982, the resumed 36th General Assembly, acting on a recommendation of ECOSOC, approved the proposed plan expanding the UNICEF Executive Board to 41 member states and requested the Council to elect the 11 additional members of the Board as well as to fill the 10 vacancies occurring in 1982. (Resolution 36/244.) Elections were held on May 6 by ECOSOC.[10]

REGULAR MAY SESSION

The regular session of the UNICEF Executive Board met May 10–21 and completed its work on a high note with an address by UN Secretary General Perez de Cuellar on May 21. In contrast to the sometimes confrontational tone at its meeting a year earlier, this session of the Board proceeded expeditiously through its work and, with the exception of a sharp exchange between the U.S.S.R. and China over Vietnam, without acrimony.

The Executive Board reviewed and approved UNICEF's financial Plan for 1983 and its Medium-Term Work Plan for 1981–85 as a

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[9] The WEOG comprises Western Europe, Canada, United States, Australia, New Zealand, and Japan.

[10] Members of the Board in 1982 were Australia, Austria, Barbados, Belgium, Botswana, Brazil, Burundi, Canada, China, France, German Democratic Republic, Federal Republic of Germany, Hungary, India, Ivory Coast, Japan, Libya, Mexico, Norway, Pakistan, Somalia, Sweden, Switzerland, Thailand, Togo, U.S.S.R., United Arab Emirates, United States, Venezuela, and Yugoslavia. Beginning August 1, Algeria, Bahrain, Bangladesh, Central African Republic, Chad, Chile, Italy, Madagascar, Nepal, Netherlands, Panama, Swaziland, United Kingdom, and Upper Volta were added and/or replaced Australia, Burundi, and Libya.

framework for planning and projections. In addition, the Board approved $227 million for new multiyear programs in 43 countries as well as $252 million in "noted projects" which will be undertaken only if donors provide the necessary specific-purpose funds. In this connection, the United States suggested that the time had come for donors of specific-purpose funds to "noted projects" to pay the overhead cost of these projects and put an end to the practice of paying these costs from UNICEF General Resources.

Also in contrast to the 1981 meeting, the Board prepared a message to the General Assembly's 2nd special session on disarmament. The United States played a key role in negotiating this issue outside the Board's plenary meetings. Largely as a result of these efforts, the Board adopted a message based on a similar message in 1978, despite Soviet efforts to introduce its own more strident language for this message.

During the discussion of the Program Committee on May 13, the United States, Canada, and Thailand raised a number of concerns about the ongoing UNICEF programs in Vietnam and the proposed multiyear commitment of $27.1 million from General Resources and proposed endorsement of $6 million in "noted projects" if donors can be found. As a result, the Board approved the proposed assistance to Vietnam on the explicit understanding that the program was designed to benefit children and women, that it would be closely monitored, and that the allocation of funds for infrastructure would be diminished.

THE STATE OF THE WORLD'S CHILDREN, 1982–83

On December 17, 1982, UNICEF released the third and most important report of the series entitled, "The State of the World's Children." In this report, UNICEF Executive Director James Grant asserted that recent developments in medical science could reduce acute malnutrition and disease thereby cutting deaths among children in most developing countries by at least half before the end of the century and, in many places, within a decade. In effect, this would be a "health revolution" which he anticipated would save the lives of 20,000 children per day.

The new medical technologies referred to include low-cost vaccines which do not require refrigeration and an inexpensive home treatment (oral rehydration therapy) for diarrhea, a major contributor to the early deaths of children in developing countries. Other elements of the UNICEF approach include the use of infant growth charts to detect malnutrition, intensified efforts promoting breast feeding, and the appropriate spacing of children, whose chances of survival would thereby be improved. UNICEF's approach has attracted unprecedented media and other international attention.

The Department of State and the U.S. Agency for International Development (AID) believe that UNICEF's approach is a major watershed in international efforts for dealing with the plight of children in developing nations and, as such, we strongly support this approach. Indeed, this approach is consistent with and reinforces AID's efforts in this area.

Population Activities

The UN Fund for Population Activities (UNFPA) was established in 1967 by the UN Secretary General as a special trust fund and was brought under the General Assembly in 1972. Since 1973 the Fund has operated with a separate identity and the general oversight of the UNDP Governing Council. UNFPA is second only to the U.S. Government as a source for population assistance with an annual budget of $130 million and projects in over 120 countries. The principal concerns for the Fund are to devote an increasing ratio of its resources to family planning, to confine its commitment levels to reasonable resource expectations, and to retain sufficient flexibility so that the magnitude and kinds of assistance will be geared to the circumstances of the recipient country. The Fund will also be preoccupied for this year and next with the International Conference on Population scheduled for Mexico City in August 1984.

Total allocations for 1982 were $120.4 million, of which $84.7 million (70.3%) went to country programs and $35.7 million (29.7%) to intercountry programs. This was a decline from the 1981 allocations level of $122.5 million, when $79.7 million (65.1%) was devoted to country programs. In 1982, the share for family planning activities was $48.7 million (40.5%). UNFPA depends entirely on voluntary contributions from member governments for its income. Contributions in 1982 were $128.7 million, up 6.7% from the 1981 total of $120.6 million. The United States continued to provide the largest contribution, $33.76 million (26.2%).

At its 29th session, the UNDP Governing Council directed UNFPA to increase the share of resources going to family planning activities; to restrict intercountry activities to 25% of total program resources, providing appropriate assistance to the regional commissions; to continue the system of priority countries, devoting two-thirds of country program resources to priority countries; and to increase the level of its financial contribution and the effectiveness of its support for contraceptive research, contributing at least $2 million to the World Health Organization's program of research, development, and research training in human reproduction. The Governing Council also urged member states to contribute or to increase their contributions to UNFPA. (Decision 82/20.) The Governing Council decision continues the effort to transform UNFPA into an organization devoted to the resolution of population assistance issues of the 1980's.

The Economic and Social Council, at its 2nd regular session in August 1982, adopted a resolution concerning the planning for the International Population Conference in 1984 that accepted the offer of the Government of Mexico to act as host; recommended that the General Assembly approve a budget for the conference of $2.3 million of which no more than $800,000 would come from the UN regular budget; and scheduled the open-ended session of the Population Commission, which will serve as the Preparatory Committee for the Conference, in January 1984, immediately following the 22nd session of the Commission. (ECOSOC resolution 1982/42.) The Executive Director of UNFPA, Rafael Salas, who has been appointed Secretary General of the Conference, reported to ECOSOC and the 37th General Assembly that the financing targets would be met and any expenses prior to the conference would be met from extrabudgetary funding.

World Food Council

The World Food Council (WFC) was created by the UN General Assembly pursuant to a resolution of the 1974 World Food Conference. The Council, the "highest political body" in the UN system charged with world food and agricultural matters, has no operational functions; it is an executive body whose functions are primarily of an advisory, coordinating, and recommendatory nature. A ministerial session of the WFC is held each year to review major problems and policy issues affecting the world food situation and make recommendations to the UN agencies, regional organizations, and governments on appropriate steps by which to forge an integrated approach toward solving world food problems. The Council has 36 members,[11] elected to represent the several regions of the world. Member governments are elected for 2-year terms and may be reelected. The United States and U.S.S.R. have been members of the Council since the beginning.

In 1982 the World Food Council held a regional consultation in Nairobi, Kenya, March 16–17. Its focus was on the "African food problem and the need for improved coordination of policies and resource mobilization." Deteriorating food trends in Africa were discussed at length. The most notable points were the recognition that the "responsibility for realizing national food self-reliance rests squarely with individual countries." Nevertheless, African countries "will continue to need, in the foreseeable future, substantially increased external support."

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[11] WFC member countries in 1982: Argentina, Australia, Bangladesh, Barbados, Botswana, Canada, China, Colombia, Egypt, France, Gambia, Federal Republic of Germany, Ghana, Greece, Haiti, Honduras, Hungary, India, Indonesia, Italy, Japan, Mexico, Nicaragua, Norway, Pakistan, Philippines, Romania, Rwanda, Senegal, Sudan, Tanzania, Thailand, U.S.S.R., United States, Yugoslavia, and Zaire.

The 8th ministerial session of the World Food Council was held in Acapulco, Mexico, June 21–24, 1982, and was opened by the President of Mexico who called for much greater efforts by all countries in the common struggle against hunger and poverty. Three major topics dominated the discussion: food sector strategies, the African food problem, and food security.

Individual country food sector strategies were first recommended at the World Food Council meeting in Ottawa in 1979 and later at the Latin American workshop held in Mexico City in 1981. This approach has since been endorsed as an important mechanism for elevating food issues to the highest policy attention of governments by both the 7th WFC ministerial session and the African Regional Consultation. The WFC was uniformly praised for its work on food sector strategies, especially since over 40 strategies have been or are in the process of being developed. Nevertheless, resource constraints continue to hinder implementation.

The discussion of the African food problem echoed the points made previously at the African Regional Consultation. In addition to calling for increased assistance within the context of coherent food policies, delegates made the following concrete suggestions: (1) speeding up national food strategy implementation and financing with an emphasis on improving producer incentives; (2) stepping up training in food policy planning, investment, and management; (3) increasing technical and resource support for adaptive research and technology; and (4) improving food security infrastructure.

The issue of food security generated the most critical discussion, focusing on the Secretariat proposal to create a system of developing country-owned grain reserves. The proposal is essentially a stabilization mechanism which encompasses shared donor-recipient-IMF financing of grain reserves, donor-international agency financing of construction and related infrastructure needs, supply priority to less developed countries in times of shortage, and the potential establishment of new institutions for coordinating overall grain reserves programs. The United States and other donors pointed out a number of technical problems and stressed their preference for nationally held reserves, without establishing a new international institution. Nevertheless, the Council accepted the notion that grain reserves are an important element in any scheme to achieve food security. The Secretariat was therefore asked to explore the matter further and provide a more substantive report on the proposal at the next Council meeting.

The Council accepted with pleasure the view of the UN Secretary General that the 9th session should be convened at UN Headquarters, and decided to convene the session in New York, June 27–30, 1983. Ministers believed that the choice of UN Headquarters as the venue for the session was particularly consistent with the Council's

function as a body of the General Assembly and that it would strengthen the UN's role as a leader in the struggle to eradicate hunger and malnutrition in the world.

SOCIAL ISSUES

Drug Abuse Control

During 1982 the United States continued to focus world attention on the importance of national, regional, and international drug abuse control. The new U.S. Federal Strategy for Prevention of Drug Abuse and Drug Trafficking included a lengthy chapter on the need for international cooperation in specific program areas and geographic regions. In various public statements, President Reagan emphasized his support for international narcotics control. In the three intergovernmental bodies most involved in drug abuse activities—the Commission on Narcotic Drugs, the Economic and Social Council, and the General Assembly—the United States maintained its leadership role in policy formulation and program planning. During the year each of these bodies endorsed, in turn, a set of international drug control projects for implementation in 1983. These projects were developed within the framework of the International Drug Abuse Control Strategy, which was adopted in 1981 with strong U.S. support.

COMMISSION ON NARCOTIC DRUGS

The Commission held its 7th special session in Vienna, Austria, February 2–8, 1982. Delegations attending the session represented the 30 members of the Commission,[12] 34 observer countries, 11 UN bodies and international organizations, 14 intergovernmental and non-governmental organizations, and representatives of private industry. Mr. Dominick L. DiCarlo, Assistant Secretary for the Bureau of International Narcotic Matters, Department of State, was the U.S. Representative. Other members of the U.S. Delegation included representatives from the Departments of State, Justice, and Health and Human Services. U.S. Congressman Benjamin Gilman (New York) joined the delegation for some deliberations.

Representatives to the Commission included high-level governmental officials and this level and type of representation suggested that international concern over drug abuse is growing with greater

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[12] Commission on Narcotic Drugs member countries: Argentina, Australia, Bahamas, Belgium, Bulgaria, Colombia, France, Federal Republic of Germany, Hungary, India, Italy, Japan, Madagascar, Malawi, Malaysia, Mexico, Nigeria, Norway, Pakistan, Panama, Republic of Korea, Senegal, Spain, Thailand, Turkey, U.S.S.R., United Kingdom, United States, Yugoslavia, and Zaire.

attention being paid to the importance of international activity. Several members expressed the view that the financial resources available to combat drug abuse are very small in relation to the international magnitude of the growing drug abuse problem.

The special session in 1982 was designed to focus primarily on matters requiring urgent attention. These included an examination of methods to reduce illicit demand and trafficking, the development of a list of special projects within the international strategy for implementation in 1983, the reports of the related UN bodies, and drug scheduling decisions under the international conventions.

Reduction of Illicit Drug Demand and Trafficking

The Commission devoted considerable time to the discussion of specific countermeasures to combat illicit drug trafficking and demand. Thirteen specific countermeasures that might be taken against trafficking were mentioned; these included, *inter alia*, the improvement of information exchange, the identification and seizure of traffickers' financial assets, the use of "controlled delivery" as a detection device, monitoring of the chemical precursors of drugs, and the careful regulation of psychotropic substance production to help prevent the diversion of drugs from the licit trade into illicit use. Nine specific countermeasures that might prevent the emergence of illicit demand were also discussed. These included, *inter alia*, the involvement of volunteer organizations and communities, the development of "targeted programs," the inclusion of drug education within broader educational disciplines, and the use of peer pressure among youth to deglamorize drug abuse.

Reports from member and observer countries indicated that some patterns of abuse and trafficking in both licit and illicit substances are changing. It was reported that nearly 95% of all heroin seized in Italy in 1981 originated in Southwest Asia, a major shift from its previous source, Southeast Asia. Several delegations, including the United States, noted with satisfaction that the incidence of methaqualone in the illicit traffic had been greatly reduced due to concerted bilateral and multilateral effort over the last year as well as the strict application of new laws in some countries. The Colombian Representative stated that crime syndicates involved in trafficking were undermining efforts to strengthen national drug control. Many delegates noted the need for assistance to countries previously unaffected by the drug traffic which are now used as transit points, particularly in the Caribbean and Central America. The United States noted that a serious increase in the availability of heroin supplies, especially in the northeast section of the United States, reflected the large quantities of drugs coming primarily from parts of the Middle East and Southwest Asia. Concerning trafficking

through the Caribbean, enhanced control efforts utilizing U.S. military capabilities were described. Citing the major improvements which had occurred with respect to methaqualone trafficking, the United States suggested that similar coordinated action would probably help reduce the illicit traffic in amphetamines.

Following these discussions, the Commission adopted two draft resolutions for ECOSOC consideration and two decisions. The draft resolutions, both of which were cosponsored by the United States, were concerned with various measures to improve international cooperation in the interdiction of illicit drug traffic and the control of drug trafficking, primarily through the training of law enforcement officials, in Central and South America and the Caribbean. The first, introduced by the United States, included calls for the strengthening of national drug and customs control bodies, the improved monitoring of drug shipments, the control of deliberate mislabeling and misrepresentation and the compilation of a list of precursors and reagents widely used in the illicit manufacture of controlled drugs. The United States supported the decisions concerning the solicitation of government views on the use of "controlled deliveries" in the fight against trafficking and the inclusion of further discussions on the nature, extent, and consequences of drug abuse on the agenda of the next session of the Commission in 1983.

International Drug Abuse Control Strategy

The long-term strategy and UN basic 5-year program of action, 1982–86, had been endorsed by the 36th General Assembly. (Resolution 36/168.) In considering the strategy the Commission noted the program of activities approved for implementation in 1982 and reviewed the list of activities that could be undertaken in 1983, within the 5-year program of action. The Commission also established an interim task force as requested in the same resolution. The task force was constituted of the Steering Committee of the Commission, and representatives of several UN bodies, including the Department of Narcotic Drugs, UNDP, UN Fund for Drug Abuse Control, the International Narcotics Control Board, and the World Health Organization. Its purpose was to review, monitor, and coordinate the international strategy and program of action.

Concerning the list of activities approved for possible implementation in 1983, the Commission determined that 11 should be undertaken with regular budget financing and 7 with extrabudgetary financing. The regular budget list included projects designed to help improve the international drug control conventions and meetings on demand reduction, law enforcement and anti-trafficking techniques, and laboratory analyses. The extrabudgetary projects primarily continued existing programs of support to regional and national drug

control efforts. The Commission adopted a draft resolution and recommended for ECOSOC approval a draft resolution, both of which endorsed the interim establishment of the task force and the list of future projects. These resolutions also reconfirmed the Commission's commitment to the International Drug Abuse Control Strategy and urged a similar recommitment from ECOSOC.

Drug Scheduling Decisions

Exercising its responsibilities under the Single Convention on Narcotic Drugs of 1961, the Commission considered the WHO recommendation that pentazocine not be added to Schedule I or II of the 1961 Convention. Many members cited growing abuse of pentazocine in their countries and suggested that WHO seek additional data to enable further review.

Under the Convention on Psychotropic Substances in 1971, the Commission deferred its consideration of signators' requests for exemptions from convention controls until firm guidelines for such considerations could be drafted by WHO and debated by the Committee. The United States supported this deferral in the belief that WHO guidelines are necessary before exemptions may be evaluated in a consistent manner.

Under the scheduling provisions of the Psychotropic Convention, the Commission considered a WHO recommendation that 12 benzodiazepines be added to Schedule IV. Many delegates stated they did not have the official documents in time for adequate review. Others felt that all the marketed benzodiazepines (approximately 30) should be considered simultaneously. Some members, including the United States, stated that the evidence of actual abuse and trafficking, at least for some of the 12 compounds, warranted the immediate consideration of international scheduling. After extensive discussion, the Commission decided, by a vote of 11 to 5, with 9 abstentions (U.S.), to defer consideration of all 12 substances until the next session.

Partially in response to the views expressed by delegates concerning the availability of documents and the WHO review process, the United States helped draft and cosponsored a resolution to clarify and specify the procedure to be followed by the Commission in scheduling matters related to narcotic drugs and psychotropic substances. This resolution was adopted by consensus and was expected to facilitate the Commission's fulfillment of its drug scheduling responsibilities. In a statement following this action, the U.S. Representative proposed that the Commission request WHO to carry out a comprehensive assessment of all commercially available benzodiazepines and that the provision of official documents be coordinated with the timing of Commission sessions. This statement

and the resolution closely followed U.S. statements made in 1981 and provided leadership to the Commission in the improvement of its important drug scheduling procedures.

Other Matters

Two draft resolutions which the United States did not favor were adopted for ECOSOC consideration. The first called for ECOSOC to change the rules governing its functional commissions to allow the Commission to meet in annual regular sessions of no less that 8 days duration. The United States opposed this draft resolution because it believed the present biennial regular session cycle, with interim year special sessions for urgent matters, was adequate and because it felt such a question should only be considered in a regular session (the 1982 meeting was a special session). The United States also maintained that the length of sessions should be determined only by specific agendas and that there should not be a predetermined minimum meeting duration. Because the resolution had developed considerable momentum, the Commission adopted it by a vote of 20 to 1 (U.S.), with 6 abstentions.

The second draft resolution involved a proposal to declare an "International Year Against Drug Abuse." Numerous delegations, including the United States, expressed serious reservations concerning the necessity for or usefulness of such a declaration. The ultimate resolution did not propose declaration of a "year" but did call for a study of the idea. With the understanding that it was thus limited to a procedural function, the Commission adopted the resolution by a vote of 13 to 7 (U.S.), with 7 abstentions. The United States and others, voted against this resolution to express their strong opposition to the concept.

The International Narcotics Control Board

In 1982 the International Narcotics Control Board (INCB) presented to the Commission its 1981 annual report and a separate report prepared by it on the demand and supply of opiates for medical and scientific needs. The annual report concluded that the drug abuse situation had continued to deteriorate in most parts of the world, becoming more serious and complex than ever before. In particular, the report noted increased illicit opiate production, the establishment of new clandestine heroin laboratories, increased cocaine trafficking and the scientifically confirmed adverse health effects of cannabis use. The Board called for immediate, concerted, determined, and coordinated action by the international community.

The Commission expressed its appreciation for Board efforts and many members noted the need to use and strictly enforce the

import/export authorization system provided for in Article 12(1) of the Convention on Psychotropic Substances in application to Schedule II substances. This was emphasized in a draft resolution cosponsored and introduced by the United States, calling for specific measures to be taken by governments to enhance the effectiveness of the Board relative to its responsibilities under the Convention; the resolution was adopted by consensus.

In its report on the world requirements of opiates for medical and scientific use, the Board described the recent market trends of increasing opiate production and declining demand. The Board noted that these trends had led to a dangerous opiate over-supply situation, particularly in India and Turkey, which required immediate corrective action. To improve the situation, the Board suggested voluntary reporting of poppy straw *Papaver bracteatum* estimates, statistics to permit better monitoring of the market, possible amendment of the Single Convention, and the exploration of opiate stock reorganization in the international market. These suggestions received mixed responses from Commission members. Ultimately, a draft resolution was recommended to ECOSOC which called for governments to consider recommendations of the Board and especially to refrain from embarking on the commercial cultivation of *Papaver bracteatum* where it had not been grown previously.

UN FUND FOR DRUG ABUSE CONTROL

In 1982, the UN Fund for Drug Abuse Control (UNFDAC) supported programs in 12 countries, comprising 27 sectoral projects, with a total expenditure of $8.3 million. About 79% of UNFDAC's total budget allocation was expended on specific country programs. A smaller portion of Fund resources was devoted to supplementing the regular activities of UN bodies with mandated responsibilities in the field of drug control. Within the country programs, most emphasis was placed on multisectoral development-oriented programs; however, law enforcement activities also received considerable attention. This was in accord with UNFDAC's policy and the international strategy, which states that control of drug abuse requires changes in the socioeconomic framework in which cultivation, trafficking, and consumption of illicit drugs occur; and that law enforcement must also be used to maintain progress.

About 37% of UNFDAC's budget allocations to country programs was spent in strengthening control measures, 22% went to the reduction of illicit demand, 37% was devoted to the reduction of illicit supply (often income substitution projects), and 4% was expended on research. This distribution reflected law enforcement projects undertaken, rural development programs, and demand reduction projects in many areas of the world. During 1982 UNFDAC

established a new evaluation system, improved its financial reporting system and started to use new indicators of progress in program implementation.

During the year, 42 countries and private contributors made cash contributions or written pledges totaling $7.3 million. During 1982, the United States pledged to contribute $2 million. A similar amount for UNFDAC was requested from Congress for fiscal year 1983. Obligation of these funds requires prior notification to and approval of the appropriations committees. Although other donors are now making larger annual contributions than the United States, since the initiation of the Fund in 1971, 52.3% of the total funding has been provided by the United States ($33.3 million).

Prior to the February session of the Commission, the United States organized an informal meeting of major donors to the Fund to begin a dialogue with Fund officials relative to UNFDAC policy and program priorities. This meeting helped focus special attention on the U.S. priorities of law enforcement and coca control. The desirability of such meetings in the future was endorsed by all the participants.

During the meeting of the Commission, many delegations, including the United States, expressed their deep appreciation for the efforts and services of the retiring Executive Director, Dr. Bror Rexed (Sweden). Dr. Guiseppe DiGennaro (Italy) was appointed to succeed Dr. Rexed in March 1982.

ECOSOC

At its 1st regular session, April 13–May 7, 1982, ECOSOC considered the report of the 7th special session of the Commission on Narcotic Drugs, a summary of the INCB report for 1981, and the INCB report on the demand and supply of opiates for medical and scientific needs.

On May 10, the U.S. Representative, Warren Clark, said that drug abuse continued to plague the world community; it was an area which caused his country grave concern and in which it was determined to take vigorous measures. His delegation was pleased, for the most part, with the resolutions and decisions of the Commission on Narcotic Drugs. Those dealing with strategy and policy for control and procedures to be followed in matters of scheduling were particularly important. The Commission's resolution on the procedures and a resolution adopted by WHO on the same question the previous January together would enable all drug scheduling issues to be comprehensively reviewed at both the national and multinational level, in accordance with international conventions.

He reiterated his Government's absolute commitment to the control of drug abuse. Both the executive and legislative branches

were mounting aggressive campaigns to combat domestic drug problems. His country looked to other nations of the world and the competent UN agencies to join in the international battle against drug abuse.

Following a general debate on the documentation before it, the Council adopted the six resolutions contained in the Commission's report and a new resolution introduced in the Council by Peru.

The first resolution urged greater cooperation in the interdiction of illicit trafficking through accurate shipment labeling and the monitoring of drug precursors. (Resolution 1982/8.) The second also concerned the control of trafficking, with special emphasis on Central and South America and the Caribbean. (Resolution 1982/9.)

Two more resolutions called for action related to the INCB. One urged governments to cooperate with INCB by voluntarily providing information to help monitor Schedule II psychotropic substances and the other urged governments to implement the recommendations of the INCB concerning opiate supply and to refrain from embarking on the commercial cultivation of *Papaver bracteatum*. (Resolutions 1982/11 and 1982/12.)

Following some discussion concerning the interim composition of the task force, a resolution was adopted approving the drug control projects endorsed by the Commission for implementation in 1983 within the International Strategy for Drug Abuse Control. (Resolution 1982/13.) All five of these resolutions were adopted without a vote.

By a vote of 32 (U.S.) to 0, with 11 abstentions, the Council adopted a resolution which called for solicitation of government opinions on the declaration of an "International Year Against Drug Abuse." Having made U.S. opposition to the declaration clear during discussion of the subject at the Commission session, the United States did not object to this procedural resolution when it was voted on in ECOSOC. (Resolution 1982/10.)

On May 3, Peru introduced a draft resolution, whose sponsors included the United States. The draft, *inter alia*, called on the Commission to give a higher priority to drug control problems, especially coca production and trafficking, in the Andean Region. It also requested the Secretary General, through UNFDAC, to consider establishing a regional office in Lima, Peru, to coordinate international narcotic control efforts in the subregion. Studies of the proposal were being prepared as the year ended.

The United States suggested that the Council defer consideration of the Commission draft resolution concerning the duration and periodicity of regular sessions of the Commission on Narcotic Drugs until the Council's 1st regular session in 1983. This would allow the Commission to give further consideration in February 1983. (Decision 1982/114.)

GENERAL ASSEMBLY

The Third Committee of the 37th General Assembly took up the international problems of drug abuse control in November as part of its consideration of the report of ECOSOC.

On December 2, the Committee took under consideration the draft resolution recommended by ECOSOC concerning "strategy and policies for drug control." On the same day, the United States proposed an amendment which required the projects slated for implementation in 1983 to be accomplished within available UN resources, and to the extent possible in priority order. This amendment removed extra costs which Secretariat officials said were associated with the ECOSOC resolution as originally drafted. The Committee approved both the amendment and the draft resolution the same day without vote. It was adopted by the General Assembly by consensus on December 17. (Resolution 37/162.)

On November 29 during the general debate in the Third Committee on an international campaign against traffic in drugs, the U.S. Representative, Carl Greshman, spoke at length about the importance of international drug abuse control to the United States. He focused on the destructive nature of drug abuse on young people, those who carry the world's hope for the future, and he quoted President Reagan as saying "We cannot afford to lose the campaign against drug abuse, . . . drug abuse is a problem that can be solved . . .. The time is past for debate and discussion . . .. It is time for action." As an illustration of U.S. action, he referred to the President's new Federal Strategy for Prevention of Drug Abuse and Drug Trafficking, which included an important international component. He also argued that responsibility for the control of drug abuse needed to be shared by all countries with the problems of production, trafficking, or use. To this end, the United States believed a more careful targeting of UN resources and an increase in contributions to UNFDAC were needed.

On December 7, Bahamas, on behalf of 14 other sponsors, introduced a draft resolution entitled "International campaign against traffic in drugs." The draft, among other things, (1) called upon member states not yet having done so to ratify the international drug control treaties; (2) urged members and bodies within the UN system to grant technical and other forms of assistance, particularly in training of law enforcement professions, to countries most affected by illicit production and traffic in drugs and drug abuse; (3) requested the Secretary General to explore all avenues leading to further improving regional and international coordination of activities against drug trafficking and drug abuse; and (4) suggested convening in 1986 an interregional meeting of heads of national drug law enforcement agencies. The draft resolution was approved in Commit-

tee without a vote on the same day and adopted in the same manner by the plenary Assembly on December 18. (Resolution 37/198.)

UN High Commissioner for Refugees

The Office of the UN High Commissioner for Refugees (UNHCR) was organized in 1951 and has as its primary function the responsibility for providing international legal protection to refugees. Its secondary function is to promote permanent solutions for refugee problems, mainly through resettlement programs, and to provide for interim and emergency care for refugees in places of temporary asylum. These responsibilities are carried out on behalf of refugees falling within the scope of the Statute of the Office adopted by the General Assembly in 1950. In general, the Statute applies to those persons who are outside their country of nationality because they have well-founded fear of persecution by reason of race, nationality, or political opinion and, because of such fear, are unable or unwilling to avail themselves of the protection of the government of that country. From time to time, the UNHCR undertakes special activities outside his mandate at the request of the Secretary General, often to assist persons dislocated within their own country as a consequence of manmade disasters. The General Assembly in December 1982 reelected Poul Hartling, formerly Prime Minister of Denmark, High Commissioner for a 3-year term.

The Executive Committee of the UNHCR meets annually in Geneva to review the work of the UNHCR and approve the regular budget. At this meeting the UNHCR also advises the Executive Committee on any special activities. In 1982 by decision 1982/110 of April 16, ECOSOC decided to enlarge the membership of the Committee from 40 to 41 members to enable Namibia, represented by the UN Council for Namibia, to participate in the Committee as a full member.[13] The U.S. Representative at the 33rd session, held in October 1982, was Ambassador at Large and Coordinator for Refugee Affairs, E. Eugene Douglas.

INTERNATIONAL LEGAL PROTECTION

The basic legal mechanisms for the protection of refugees are the 1951 Convention Relating to the Status of Refugees, which is

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[13] Members of the Executive Committee in 1982 were: Algeria, Argentina, Australia, Austria, Belgium, Brazil, Canada, China, Colombia, Denmark, Finland, France, Federal Republic of Germany, Greece, Holy See, Iran, Israel, Italy, Japan, Lebanon, Lesotho, Madagascar, Morocco, Netherlands, Nicaragua, Nigeria, Norway, Sudan, Sweden, Switzerland, Tanzania, Thailand, Tunisia, Turkey, Uganda, United Kingdom, United States, Venezuela, Yugoslavia, Zaire, and United Nations Council for Namibia.

restricted to persons who became refugees as a result of events occurring before 1951, and the 1967 Protocol, which removes the time limit on eligibility. As of March 31, 1982, 93 states had become parties to one or both of the treaties. The United States is a party to the Protocol. However, a large geographic area of the world—most of Eastern Europe and mainland Asia—subscribes to neither. States acceding to these international treaties accept provisions explicitly prohibiting the return of a refugee, in any manner whatsoever, to any country in which his life or freedom would be threatened on account of race, religion, nationality, membership in a particular social group, or political opinion. At the same time, however, the refugee has obligations to the country in which he finds himself and is required to conform to its laws and regulations as well as to the measures taken for the maintenance of public order.

The international protection of refugees includes ensuring that they are granted political asylum and that those who wish to return voluntarily to their country of origin may do so without penalty for having fled. To facilitate the reestablishment of refugees around the world, the UNHCR also is concerned with protecting the refugees' right to work, to practice their religion, and to receive social benefits under the law. The task of providing legal protection has continued to increase in intensity as many refugees feel compelled to flee from their countries of origin.

UNHCR PROGRAMS

In 1982 the UNHCR allocated $432 million for refugee aid throughout the world. The United States gave about $122 million, or 34% of UNHCR's contributions.

Africa

UNHCR obligated $127 million in 1982, or about 31% of its budget, to assist nearly two million African refugees. UNHCR received $49 million from the United States for this program. The largest African program was in Somalia, where more than 500,000 refugees remained. UNHCR budgeted $38 million for refugees in Somalia during 1982. Other large UNHCR programs in Africa were Sudan, $23 million; Zaire, $17 million; and Ethiopia, $15 million. UNHCR also issued a $5 million special appeal to assist the refugees and displaced persons in Rwanda.

Latin America

The UNHCR allotted about $37.4 million to Latin America in 1982. This represented more than 7% of UNHCR's worldwide

budget. Most of UNHCR's budget for Latin America was used for programs in Central America. The United States contributed $8.2 million to UNHCR's programs in Latin America.

UNHCR's program in Latin America expanded from its 1981 level because of an increased need for refugee assistance in Central America. New UNHCR offices were created in Honduras and Mexico, where the bulk of the refugees sought first asylum. The most complex refugee problem in the region existed in Honduras where 16,000 Salvadorans, 13,000 Miskito Indians from Nicaragua, 4,000 other Nicaraguans, and 700 Guatemalans have taken refuge. There are 20,000 Guatemalans in refugee camps in Mexico. Several thousand other refugees of diverse nationalities also received benefits in Mexico.

UNHCR's office in San Jose, Costa Rica continued to play a lead role as the regional UNHCR Headquarters for Central America. UNHCR assistance has enabled countries in Latin America to remain generous in granting asylum to refugees of all political persuasions.

Asia and the Near East

In 1982 UNHCR spent almost half its budget, or $190 million, to assist refugees in Asia and the Near East. Of this amount, approximately $70 million was appropriated for the care of Indochinese refugees in Southeast Asian countries of first asylum. The United States contributed $22.9 million to UNHCR's programs in Southeast Asia. At the end of 1982 a total of 222,000 Indochinese refugees occupied UNHCR-supervised camps, compared with 258,000 at the end of 1981. Refugee arrivals by boat and land in Southeast Asian countries of first asylum averaged 4,200 per month, a 50% decrease from the previous year. During 1982 about 97,000 refugees were resettled permanently abroad, including some 62,000 in the United States.

UNHCR continued to pursue other solutions to the Indochinese refugee problem, such as voluntary repatriation when possible, and the Orderly Departure Program (ODP) from Vietnam. Approximately 1,200 refugees from Laos were repatriated to their homeland from Thailand under UNHCR's auspices. Meanwhile, ODP continued, a program through which asylum seekers may emigrate legally from Vietnam. In the past year 3,600 Vietnamese took advantage of this program to rejoin relatives in the United States, and another 6,800 were resettled in other countries.

In Pakistan UNHCR apportioned $83 million to provide for the care and maintenance of Afghan refugees. A slower but steady flow of refugees fleeing Afghanistan resulted in the Government of Pakistan having registered 2.8 million Afghan refugees by the end of

1982. This was an increase of 22% during the year. This remained the largest refugee population in any country in the world. The United States contributed $27 million to UNHCR for its Afghan refugee program. This represented about 28% of funds provided by the United States for the benefit of Afghan refugees in Pakistan during 1982.

Europe

During 1982 UNHCR provided $19.7 million or about 4.5% of its budget to assist refugees in Europe. Of the amount $10 million were used in Cyprus to assist persons displaced in 1974. This program was supported and financed principally by the United States through the Agency for International Development.

Funds were programed by UNHCR elsewhere in Europe mainly to help care for refugees pending repatriation or resettlement, and to assist those in transit.

Cooperation to Avert New Flows of Refugees

This item has been on the agenda of the General Assembly since 1980 at the initiative of the Federal Republic of Germany (FRG), and has been assigned to the Special Political Committee. The FRG sought support for an eventual agreement among UN member governments on principles to govern state-to-state behavior in situations involving large-scale flows of refugees. Unfortunately there was no support for a strong statement so the FRG settled for a resolution (35/124) inviting member governments to submit to the Secretary General their comments and suggestions on international cooperation to avert new flows of refugees and requested the Secretary General to report on those to the 36th General Assembly. The United States had responded to the Secretary General's request and set out 10 obligations of states. The United States also recommended that an existing UN entity be given the task of monitoring compliance of states with those obligations, identifying and monitoring situations that threatened to result in refugee flows, making appropriate investigations, and alerting UN membership to situations requiring action by the Security Council, General Assembly, or other UN element. The United States further recommended a mandate from the General Assembly setting forth the principles of state-to-state behavior.

A resolution (36/124) was adopted on December 11, 1981. The resolution, *inter alia*, decided to establish a Group of Governmental Experts to Develop Recommendations on Appropriate Means of International Cooperation to Avert New Flows of Refugees, their expenses to be borne by each nominating state.

At the 37th General Assembly Senegal, on behalf of 43 other sponsors including the United States, introduced a draft resolution in the Special Political Committee on December 6. The draft, among other things, decided to enlarge the Group of Governmental Experts from 17 to 24 members: 6 from Africa; 6 from Asia; 3 from Eastern Europe; 4 from Latin America; and 5 from Western Europe and Other Groups, with 1 additional seat to be rotated between Latin American, African, and Asian regions. It also (1) reaffirmed the mandate of the Group to embark upon the study to develop recommendations in the framework of a future-oriented approach and in conformity with the spirit of friendly relations among member states; (2) requested the Secretary General to prepare a compilation of the replies and suggestions received and provide the Group with the necessary facilities and assistance for completion of its task; and (3) requested the Group to submit a report to the Secretary General for deliberation at the 38th General Assembly.

The U.S. Representative, Ambassador Lichenstein, speaking on December 6 in the Special Political Committee, said that every effort must be made to ensure that travel costs entailed under the draft resolution were met from existing funds, as his Government could not support any increase in budgetary appropriations during the current session.

The draft was approved without a vote on December 6 and adopted by the General Assembly in the same manner on December 16. (Resolution 37/121.)

Disaster Relief

During the first half of 1982 much attention centered on the selection of a new coordinator for the United Nations Disaster Relief Organization (UNDRO) to replace Faruk Berkol (Turkey), who had retired after leading the organization since its inception in 1972. In June the Secretary General announced the appointment of his own Chef de Cabinet, M'Hamed Essaafi, a Tunisian diplomat with a broad general acquaintance with the UN system. Mr. Essaafi assumed his new position on July 1.

In May the Administrative Committee on Coordination (ACC), in response to General Assembly resolution 36/225 of December 17, 1981, issued decision 1982/1 which contained "guiding principles" on the roles of the "lead entity" and other organizations in the UN system during "exceptional or complex disaster situations." These principles called for: (1) consultations under the initiative of the Secretary General in order to determine whether a complex disaster exists; (2) designation by the Secretary General of a "lead entity" at the "international level" who, acting through an appropriate entity at the country level, is to have overall responsibility for coordinating

the UN system's response to a disaster situation; and (3) the assignment of responsibility to the lead entity for the development of a "concerted relief program" in consultation with the affected country and all concerned organizations. The ultimate of this decision was to leave the Secretary General a good deal of flexibility in dealing at all levels with exceptional or complex disasters. He exercised this flexibility in the UN's handling of the very complex disaster in Lebanon.

UNDRO AND EMERGENCY ASSISTANCE

Lebanon

With the onset of the crisis in Lebanon in June 1982, the Secretary General immediately appointed Iqbul Akhund, of Pakistan, as his Special Representative in Lebanon. A senior UN official who had already been functioning in that country in the role of Coordinator of Assistance for the Reconstruction and Development of Lebanon, Akhund now served as the UN lead at country level. Although no lead entity at the international level was formally appointed, Akhund happened to be in New York during the early days of the crisis and thus filled this role *de facto* until his return to Lebanon in July. The role was then filled for a time by the Under Secretary General for Political and General Assembly Affairs, William B. Buffum, of the United States. Still later, as the new UNDRO Coordinator gained familiarity with his position, Essaafi increasingly acted in a lead role in Lebanese disaster relief.

The intensity and fast breaking nature of the battle-spawned disaster in Lebanon caused the evacuation of the Special Representative during the early stages of the fighting and he was not able to return until the middle of July. This caused a greater than normal delay in resolving the confusion and lack of coordination as to the type and amounts of relief material needed and being supplied. When he returned, the local coordination of international relief efforts improved. At an early date during the crisis, UNDRO sent members of its staff to Lebanon to assist the Special Representative and his staff in the task of in-country coordination and to funnel information as to disaster relief assistance needs to UNDRO Headquarters in Geneva for further worldwide dissemination to possible donor nations.

On the international level, the Secretary General quickly dispatched an interagency survey mission to Lebanon, headed by the Swedish Permanent Representative, Anders I. Thunborg. The report of this mission formed a basis for subsequent appeals to various UN agencies for assistance. The U.S. mission in Beirut worked closely with the Thunborg mission.

The U.S. Government responded to emergency needs in Lebanon by providing a combination of funding and guarantees in the amount of $111.8 million. These funds were made available both to the Government of Lebanon and to several multilateral and non-governmental organizations. This assistance was coordinated and channeled to recipients through an interagency team set up under the able direction of AID's Office of Foreign Disaster Assistance (OFDA). In addition to assuring country team cooperation with the Thunborg mission and with Special Representative Akhund, AID organized and led three successful U.S. Government assessment missions to Lebanon.

In addition to the U.S. Government assistance to Lebanon, there was also a very appreciable amount of American direct private assistance to the war-torn country. Although the total sum is not known, at least $10.8 million of such assistance is known to have been sent.

Chad

The long civil conflict in Chad had led to widespread destruction and disruption of economic activity, and caused extreme hardship to large portions of the Chadian population. The war-induced damage was aggravated by the persistent drought in the Sahelian region. In late November 1981, UNDRO was asked by the Secretary General to assume the role of lead entity at the international level and to coordinate relief efforts. The first UNDRO-organized appeal to the international community on behalf of Chad was launched November 26, 1981.

Starting in January 1982, UNDRO sent four missions to Chad and in March 1982, prepared a comprehensive relief program. This program was presented to the international community at a meeting chaired by UNDRO in Geneva on April 5–6, 1982. The meeting was attended by more than 120 representatives of governments, organizations in the UN system, and intergovernmental and non-governmental organizations. In July, the UNDRO representative contacted the newly established Chadian Government to review the emergency program and as a result the Coordinator launched a new appeal to donors on August 5. This was followed by another appeal on September 1, when the plight of some 400,000 famine-stricken people in Chad's northern and northeastern regions became known. UNDRO reports that the international response to this latter appeal was immediate and that five Hercules aircraft carried some 1,500 tons of food to these areas.

In September 1982 the Bureau for Refugee Programs (RP) of the Department of State announced that in response to the Coordinator's appeal of August 5, it was awarding $1 million to UNDRO for

transportation, health programs, and disaster relief-associated educational programs. In addition, RP awarded $440,000 to CARE/Chad to cover the financial costs of a food for work activity to provide work opportunities for recently returned refugees to the N'Djamena area. These projects were designed to address the immediate health hazards resulting from the war and drought.

Other Areas

UNDRO was also active in Madagascar following a tropical storm in December 1981, in Democratic Yemen as a result of disasterous floods which struck at the end of March 1982, and in Tonga following a typhoon which caused widespread destruction in March 1982.

Since at least 1979, AID/OFDA has been increasingly involved in a Pan Caribbean Disaster Preparedness and Prevention Project (PCDPPP) with UNDRO; the League of Red Cross and Red Crescent Societies (LICROSS); the Pan American Health Organization, Regional Office of the World Health Organization for the Americas (PAHO/WHO); the Caribbean Community (CARICOM) Secretariat; and the Commission of the European Community (CEC). It was believed that due to the small size of the countries concerned it would not be possible or practical to attempt to establish disaster preparedness and relief machinery in each island. Instead, a project aiming at promoting concrete measures of disaster preparedness through a permanent regional mechanism in the area was deemed preferable.

Operating from a base in Antigua, the project formally initiated activities in mid-1981. PAHO/WHO detailed a staff member to assume operational responsibility for technical cooperation in the health area. LICROSS took responsiblity for first aid and strengthening local Red Cross organizations. There was also provision for the services of short-term experts in areas such as public awareness, seismic engineering, and vulnerability analysis. The project also financed training workshops and the provision of equipment and public awareness materials for certain countries. Finally, the project provided technical cooperation in reviewing national emergency plans. During Phase I of the project these activities were coordinated by a project manager appointed by an UNDRO manager. AID/OFDA's initial contribution to the project was a grant to UNDRO of $250,000 with the disbursement being spread over 2 fiscal years. In Phase II of the project, a project management committee, made up of representatives of both the executing and funding agencies, working through the CARICOM Secretariat, will supervise the project manager. UNDRO will be responsible for providing certain specified long-and short-term technical services in disaster preparedness and prevention.

ECOSOC

At the summer ECOSOC no significant action pertaining directly to UNDRO was taken. However, Algeria on behalf of the Group of 77 introduced a draft resolution, "Assistance to the Palestinian people." One provision of the resolution urged "relevant programs, agencies, and organs of the UN system to initiate and provide, in cooperation with the Palestinian Liberation Organization, urgent humanitarian assistance to the Palestinians in Lebanon." The resolution was adopted by a vote of 48 to 1 (U.S.), with 0 abstentions on July 27. (Resolution 1982/48.)

The United States voted against this resolution because, although we stressed that we have a longstanding and continuing record of supporting and granting generous assistance to the Palestinian people, we were unable to support a resolution which, as this did, tended to enhance the political status of the Palestinian Liberation Organization by naming it as an action agency involved in implementing UN assistance programs.

GENERAL ASSEMBLY

There had been general agreement at the end of the 36th General Assembly in 1981 that the provisions of resolution 36/225 "Strengthening the capacity of the UN system to respond to natural disasters and other disaster situations" be given a 2-year implementation period before any substantive changes would be made to the UNDRO mandate.

On November 29, Kenya, on behalf of 52 other countries, introduced a draft resolution in the Second Committee entitled "Office of the UN Disaster Relief Coordinator." Among other things, the draft proposed that the "Secretary General assign a higher priority to strengthening, preferably within the means at his disposal, the financial and manpower resources of the Office." It also proposed a new post whose incumbent would be responsible for the planning and implementation of relief programs.

On December 8, the United States proposed an amendment to insert a new paragraph which would authorize the Secretary General to implement the activities approved only to the extent that they could be financed without exceeding the level of resources approved in the 1982–83 program budget. The Committee, by a recorded vote of 19 (U.S.) to 96, with 12 abstentions, rejected the amendment. At the same meeting, the Committee approved the draft resolution by a vote of 119 to 8 (U.S.), with 2 abstentions. The resolution was adopted on December 17 in the plenary Assembly by a recorded vote of 132 to 8 (U.S.), with 3 abstentions. (Resolution 37/144.)

Speaking in explanation of vote in Committee the U.S. Representative Robert F. Zimmerman, said that no explanation had been given

on the manner in which the proposed resources would make it possible to strengthen and improve the effectiveness of the Office. It would be better to await the next session of the General Assembly before considering any increase in the financial aid and manpower resources of the Office of Coordinator; moreover, it was in that spirit that resolution 36/225 had been adopted. Finally, at a time when the principal operational organs of the UN were being asked to make reductions in their budgets, it was inopportune to request a budgetary increase for the Office of Coordinator without providing a precise explanation of the manner in which such action would make it possible to enhance the effectiveness of the Office.

Social Development

During its 37th session, the General Assembly considered the "1982 Report on the World Social Situation," which was prepared by the UN Department of International Economic and Social Affairs. The report, which is prepared every 3 years, is a broad survey of global social conditions, and is intended to contribute to the identification of emerging social trends of international concern.

In the opinion of the U.S. Government Agencies that reviewed the report, it was comprehensive, well researched, and replete with valuable information on the world social scene. The report focused on a number of themes of importance to the United States, including the linkage between economic and social development, the problems and obstacles to social development faced by vulnerable segments of society, and the importance of full participation by all affected people in the decisionmaking process.

The Third Committee discussed the report at five meetings between October 29 and November 22. During the discussion, the U.S. Representative, Carl Gershman, praised the report as a constructive and thoughtful document. He also observed that this report should serve as an essential tool in evaluating progress to achieve the goals and objectives of both the Declaration on Social Progress and Development and the International Development Strategy for the Third Development Decade.

On November 15 Bangladesh, on behalf of the Group of 77, introduced a draft resolution entitled "World Social Situation." The draft, *inter alia*, reaffirmed the urgent need to implement the socioeconomic development objectives contained in the International Development Strategy for the third UN Development Decade; requested the Secretary General to transmit the 1982 report to other UN bodies; invited member states to convey their comments to the Secretary General to facilitate the preparation of the 1985 report; and requested the Commission on Social Development, at its next biennial session in 1983, to submit its views and observations to the 38th General Assembly through ECOSOC.

The draft resolution was approved in Committee on November 15 and adopted in the plenary Assembly on December 3, in both instances without a vote. (Resolution 37/54.)

WORLD ASSEMBLY ON AGING

The World Assembly on Aging took place in Vienna, Austria, July 26–August 6, 1982.

The UN Secretariat undertook the most comprehensive preparations for a world conference in the history of the United Nations. They planned and organized 15 preconference regional meetings and helped with 1 worldwide meeting of non-governmental organizations.

During the 1980–82 period, the Secretariat organized seven regional technical meetings (primarily of non-governmental experts) in Malta, San Jose, Bangkok, Lagos, Frankfurt-am-Main, Kiev, and Washington, D.C. This was an innovative idea and was very successful. Each meeting prepared a report and these reports were then submitted to special intergovernmental meetings of the five UN regional economic commissions. The regional meetings were in Manila, San Jose, Addis Ababa, Vienna, and Amman and each produced a regional plan of action and recommendations that was forwarded to the central UN Secretariat in Vienna.

Three meetings of the 23-nation intergovernmental Advisory Committee took place in August 1981, February 1982, and April 1982. The Advisory Committee's principal task was to review, debate, and amend the draft Plan of Action prepared by the Secretariat, as it was to be the main action document to be considered by the World Assembly itself.

A Non-Governmental Organization (NGO) Forum on Aging was held in Vienna, March 29–April 2, 1982; and some 150 people from 43 countries representing 159 organizations participated. For the first time in the history of these single-theme global conferences, NGOs gathered before the UN meeting to develop their own substantive action plan, which was then submitted to the UN Secretariat and presented as a formal NGO document to the World Assembly. In addition, there were a number of NGOs at the Assembly itself as official observers and unofficial lobbyists. Representatives for 22 NGOs spoke at the plenary, which constituted a record.

Preconference consultations among governments took place in Vienna on July 24–25, 1982, in order to consider and recommend to the Assembly a number of organizational and procedural matters.

The World Assembly on Aging opened July 26 in the Hofburg Palace in the center of Vienna. After comments by Jean Ripert, UN Director General for Development and International Economic

Cooperation, Dr. Rudolf Kirchschlager, President of Austria, addressed the 2,000 delegates from 125 countries. Dr. Hertha Firnberg, Austrian Minister for Science and Research, was elected President of the Assembly.

Most of the time of the plenary was taken up by the 132 speeches from heads of delegations, representatives from the specialized agencies of the United Nations and non-governmental organizations.

The real work of the conference took place in the Main Committee, which was chaired by Dr. A.H.B. de Bono of Malta. The Main Committee was charged with reviewing the draft Plan of Action which had been prepared initially by the office of the Secretary General for the conference and reviewed by the 23-nation Advisory Committee. Some 200 written and oral amendments to the text were tabled in the Main Committee. It is noteworthy that no delegation attacked the draft Plan or its framework; all of the amendments were designed to strengthen the Plan and to make it more specific or detailed in its recommendations.

On August 5, the Main Committee accepted the amended Plan of Action as a whole, without a vote, and forwarded the text to the plenary. On August 6, the Plan of Action was adopted by the plenary by acclamation. No country had reservations on any paragraph. It was a remarkable achievement.

Four specific ideas were proposed in the Plan of Action which, taken together, could provide the structure needed to make this Plan a major instrument for change.

First, an intergovernmental mechanism was needed which had the authority to oversee implementation of the Assembly's recommendation. The conference proposed that the 36-nation Commission on Social Development—one of the functional commissions of ECOSOC—be designated as the body to review the implementation of the Plan every 4 years and to make proposals for updating the Plan as considered necessary. The Commission's findings would be forwarded to ECOSOC and to the General Assembly for consideration.

Second, a UN interagency mechanism for coordination was needed to stimulate concern and interest on the part of the specialized agencies and to ensure there was no program overlap or duplication. The Assembly asked the Administrative Committee on Coordination (which is chaired by the UN Secretary General and in which all of the Directors General of the specialized agencies of the UN system participate) to continue its liaison and coordination efforts in order to implement the Plan. The International Labor Organization, the World Health Organization, the UN High Commissioner for Refugees, the UN Center for Human Settlements, and the UN Fund for Population Activities, among others, all made significant contributions to the preparations for the World Assembly, all have active programs and projects in this field and, it is hoped, will continue to be active; hence the need for coordination.

Third, since conference followup was critical to the success of the Assembly, the UN Center for Social Development and Humanitarian Affairs in Vienna was recommended as the focal point for the implementation of the Plan of Action. The delegates asked that the Center be strengthened to carry out its role more efficiently and the Secretary General was requested, within the existing total resources of the United Nations, to give due consideration to the provision of appropriate increased resources to the Center for this purpose.

Finally, the issue of financial support was most critical. In fact, this was the single most contentious substantive issue in the whole Assembly. In December 1980 the General Assembly had requested the Secretary General to establish a voluntary fund for the World Assembly on Aging and to inform member states of the existence of the Fund.

The United States was the first to pledge and over a 2-year period contributed $650,000. The United States, France, and many countries of the developing world wanted the Trust Fund to be converted into a long-term voluntary fund designed to help older persons in the Third World. It was finally decided that the Fund would be continued in order to meet the rapidly increasing needs of the aging in the developing countries, that the payment of voluntary public and private contributions should be encouraged and that the Fund should be administered by the UN Center for Social Development and Humanitarian Affairs.

The rules of the United Nations require that all recommendations arising out of a global conference under UN auspices must be referred to the General Assembly for final approval before they are considered official.

The Third Committee of the 37th General Assembly discussed the results of the Vienna Conference October 18–29 as part of a cluster of social issues dealing with youth, the disabled, and the aging. Interventions were made by representatives of 112 governments on these subjects. Again, the general debate was remarkably free of polemical statements and dealt in a thoughtful, substantive manner with both the national and the international aspects of aging. The Chairman of the Third Committee, Mr. Calero Rodrigues (Brazil), called this 2-week period "an outstanding debate." No formal proposals were made to amend the Vienna Plan of Action and a resolution endorsing the Plan and all its recommendations was adopted by the plenary Assembly on December 3, 1982, by a vote of 149 to 0, with 0 abstentions. (Resolution 37/151.)

WORLD PROGRAM OF ACTION CONCERNING DISABLED PERSONS

1981 was the UN International Year of Disabled Persons (IYDP) and was an extraordinary success in the United States. So much so,

in fact, that hundreds of organizations and individuals across the country urged that the momentum generated in 1981 somehow be continued. The Congress, by joint resolution, on January 25, 1982, designated 1982 as the "National Year of Disabled Persons" and the President approved this action on February 26, 1982. The President issued his own Proclamation designating 1982 as the "National Year of Disabled Persons" on April 26.

In preparation for IYDP–1981, the General Assembly established a 23-nation Advisory Committee which held four meetings. The first meeting was in 1979 and developed a Plan of Action for 1981. This was approved by the 34th General Assembly. At its second meeting, the Committee considered a draft Plan of Action for 1982 and beyond, but did not agree on a text. At its third meeting in 1981, the Committee reached tentative agreement on a text for a World Plan of Action and this document was then referred to all member states for comment. Written amendments to that text were submitted by 29 governments, 30 NGOs, and 26 UN agencies. The Secretariat in Vienna recast the document and presented it to the fourth and final meeting of the Advisory Committee in July 1982. The text approved at the fourth meeting was presented to the 37th General Assembly.

The Third Committee of the 37th General Assembly considered the World Program of Action Concerning Disabled Persons during the weeks of October 18–28, and November 1–15.

On November 1, two draft resolutions were introduced in the Third Committee. The first, introduced by Belgium on behalf of 38 cosponsors including the United States, proposed the adoption of the "World Program of Action Concerning Disabled Persons." The draft was approved without vote in Committee on November 15 and adopted in the plenary Assembly, also without vote, on December 3. (Resolution 37/52.)

The second, introduced by the Philippines, and ultimately sponsored by 21 other countries, was entitled "Implementation of the World Program of Action Concerning Disabled Persons." The draft included, among other things, a proclamation of 1983–92 as the UN Decade for Disabled Persons, and financial implications of some $250,000 a year with regard to other paragraphs of the resolution.

The idea of a Decade of Disabled Persons had first been suggested during the course of the October 1981, UN-organized, IYDP World Symposium of Experts on Technical Cooperation among Developing Countries and Technical Assistance in Disability Prevention and Rehabilitation.

Fifty-one experts and 126 observers from all over the world met in Vienna, Austria, for 2 weeks and agreed upon a number of practical ideas for the disabled. The report of the Symposium, known as the "Vienna Affirmative Action Plan," contained the Decade idea and was referred to the fourth and final meeting of the Advisory Committee on IYDP, which met in Vienna in July 1982, for action.

At that meeting, some delegations, mostly from the developing world liked the Decade idea and said that it could provide the appropriate framework for implementing the World Program of Action. Other delegations, primarily from the developed world, either flatly opposed the Decade idea or expressed serious doubts about it. They argued that the United Nations had already organized several Decades which had not had much impact and could siphon off resources that could be better used to implement the World Program of Action.

The U.S. Delegation proposed, instead of a Decade, two 5-year evaluations (1987 and 1992) of the World Program of Action to be prepared by the UN Secretariat and reviewed by governments. This U.S. proposal was eventually adopted and is contained in paragraph 201 of the World Program of Action. However, after 2 days of debate, it became clear that there was no agreement on a Decade. The Advisory Committee decided that "although no consensus had been reached on the issue, there was a majority in favor of proclaiming the period 1983–92 as the United Nations Decade of Disabled Persons," and forwarded the issue to the 37th General Assembly for decision.

After the draft resolution was introduced in the Third Committee, a disagreement took place in the Western Group with the United States, Australia, and Norway strongly favoring the Decade; the United Kingdom, Canada, and Sweden in opposition. The United States argued that the Decade should be viewed as a framework for national action and finally got agreement on the understanding that no additional resources from the UN system would be needed for this purpose. Further negotiations took place over the $250,000 a year figure and this was reduced by 50%. The resolution was approved by the full Committee on November 15, by consensus, and by the plenary Assembly on December 3 without a vote. (Resolution 37/53.)

In December, Senator Dole and Congressman Winn stated they would introduce joint resolutions in the Senate and the House of Representatives proclaiming 1983–92 as the Decade of Disabled Persons in the United States.

YOUTH

UN Advisory Committee for International Youth Year

The 24-member Advisory Committee for International Youth Year (IYY) held its second meeting in Vienna, June 14–23. The United States was represented by James D. Phillips, Director of the Office of Communications and UNESCO Affairs, Bureau of International Organization Affairs. The support of the U.S. Government and people for the decision of the 34th General Assembly to designate 1985 as IYY and for the IYY themes of participation, development, and peace was emphasized by the U.S. statement.

The purpose of the meeting was to discuss implementation of the recommended program of action for IYY, which was drafted at the Committee's first meeting in 1981, and approved unanimously by the General Assembly that December. Overall, the Committee endorsed the thrust of the recommended program which emphasizes celebration of IYY at the national and local levels. The Committee recommended that activities undertaken within the UN system in connection with IYY be implemented within available human and financial resources. These positions are fully consistent with U.S. policy.

General Assembly

The Third Committee considered youth issues under the agenda items, "International Youth Year: Participation, Development, and Peace," and "Policies and Programs Relating to Youth."

Three draft resolutions were introduced in the Committee on November 1. The first draft resolution, titled "International Youth Year: Participation, Development, and Peace" was introduced by Romania, joined by 89 cosponsors. The draft resolution was approved by a vote of 133 to 1 (U.S.), with 0 abstentions. After examining the Secretary General's report on the financial implications of the draft resolution, the United States introduced an amendment which would "authorize the Secretary General to implement the activities approved in the resolution to the extent they can be financed without exceeding the level of resources approved in the 1982–83 program budget." The amendment was rejected by a vote of 22 (U.S.) to 75, with 26 abstentions.

The United States joined consensus on the first resolution in plenary due to favorable action in the Fifth Committee concerning the financial implications. The resolution, among other provisions: (1) endorsed the report and recommendations of the second meeting of the IYY Advisory Committee, (2) requested the Secretary General to ensure coordination of the implementation and followup of the specific program of measures and activities for IYY, and (3) appealed for voluntary contributions in support of IYY activities. (Resolution 37/48.)

The second resolution, titled "Efforts and measures for securing the implementation and the enjoyment by youth of human rights, particularly the right to education and work" was introduced by Czechoslovakia with 22 cosponsors. The resolution called upon all states to continue efforts aimed at the promotion of human rights and their enjoyment by youth, and requested the IYY Advisory Committee to give consideration to all relevant international human rights instruments when elaborating its recommendations concerning the year. (Resolution 37/49.)

The third resolution titled "Channels of communication between the United Nations and youth and youth organizations" was introduced by Egypt with 33 cosponsors. The resolution addressed methods aimed at improving the participation of youth in the UN system with particular regard to activities within the context of IYY. (Resolution 37/50.)

The three draft resolutions were all adopted by the plenary Assembly on December 3 without vote.

U.S. International Youth Year Commission

In April 1982, the Department of State recognized the U.S. International Youth Year Commission (USIYYC) as the official nongovernmental organization to carry forward the national celebration of IYY in 1985. The Commission is a private project of the U.S. Youth Council, an organization comprised of a variety of groups interested in international affairs representing a broad spectrum of American youth groups. The Commission (1) advises the government on domestic activities related to IYY, (2) facilitates the participation by U.S. organizations and individuals in IYY activities, and (3) conducts an outreach program to make IYY known and understood in the United States.

The USIYY Commission interacts with a Federal Interagency Task Force on IYY composed of representatives from the Departments of Agriculture, Education, Labor, State, and Justice; USIA; the White House; and other government bodies interested in this activity. An Executive Committee for this Task Force has responsibility for drafting detailed proposals for a national celebration leading up to and including 1985, and ensuring these plans are mutually supportive of existing youth programs at the Federal level, such as the President's Youth Exchange Initiative.

In November 1982, the USIYY held the first International Youth Year National Conference. Over 250 participants from various youth organizations heard the IYY themes of participation, development, and peace addressed by such notables as the actress Liv Ullman; Alan Reich, President of the National Office on Disability; and Assistant Secretary of State Gregory J. Newell. The Conference sought to identify ways in which these three themes could effectively reflect American values and political ideas both domestically and internationally.

The International Youth Year Commission used the Conference to lay the ground work for a series of training seminars which will be held in 1983 to prepare U.S. youth for a more active role in international meetings and conferences. The Commission is also engaged in an extensive outreach program to the private sector, including recruitment of additional member organizations and a search for private resources for the national celebration.

Crime Prevention and Control

The 7th session of the Committee on Crime Prevention and Control met in Vienna, March 15–24, 1982. Its main focus was the continuation of preparations for the Seventh UN Congress on Prevention of Crime and Treatment of Offenders scheduled for 1985.

As part of these preparations for the Congress, the Committee approved a provisional agenda which included items concerning (1) new dimensions of criminality and crime prevention in the context of development; (2) criminal justice processes and perspectives in a changing world; (3) youth, crime, and justice; and (4) formulation and application of UN standards in criminal justice administration. The Committee also invited regional bodies, specialized UN agencies, and non-governmental organizations to begin in earnest their preparations for the Congress.

ECOSOC on May 4, at its first regular session of 1982, adopted a resolution approving the provisional agenda as recommended by the Committee on Crime Prevention and Control. (Resolution 1982/29.) In another resolution, also adopted May 4, the Council authorized the Chairman of the Committee on Crime Prevention and Control to appoint members of the Committee as advisors for regional and interregional preparatory meetings for the Congress, thus enabling the Committee to continue its preparatory functions between its regular sessions. (Resolution 1982/30.)

In an item related to the subject of crime prevention and control, ECOSOC adopted a resolution on "Summary or arbitrary execution." The resolution expressed alarm at the occurrence of summary or arbitrary execution, some extra-legal, often politically motivated; decided to appoint for 1 year a special rapporteur to examine the questions and requested the special rapporteur to submit a comprehensive report to the 39th session of the Commission on Human Rights in 1983. (Resolution 1982/35.)

The General Assembly at its 37th session adopted a resolution on the recommendation of the Third Committee, which welcomed ECOSOC's resolution on summary executions and requested the Commission on Human Rights, on the basis of the special rapporteur's report, to make recommendations concerning appropriate action to combat the practice of summary or arbitrary execution. The resolution was approved by the Third Committee on December 9 and adopted by the General Assembly on December 7, in both cases without a vote. (Resolution 37/182.)

SCIENCE, TECHNOLOGY, AND RESEARCH

UN Environment Program

Acting on the recommendation of the UN Conference on the Human Environment in Stockholm, the 27th General Assembly in

1972, approved resolution 2997, establishing the UN Environment Program (UNEP). The basic concept of UNEP, including its Environment Fund financed by voluntary contributions, closely paralleled proposals advanced by President Nixon in an environmental message delivered to the U.S. Congress the same year.

UNEP Headquarters is in Nairobi, Kenya; it is the first global UN program located in a developing country. It operates under the policy guidance of a 58-member Governing Council[14] and reports annually to the General Assembly through ECOSOC.

UNEP acts as the principal UN body to coordinate environmental activities carried out within the UN system. Through the use of its Environment Fund it also acts as a catalyst in promoting worldwide and regional efforts to improve and preserve the human environment. Of particular importance to the United States are UNEP's programs in the field of environmental assessment, of which the most important components are GEMS, the Global Environmental Monitoring System, and IRPTC, the International Register of potentially Toxic Chemicals. Another significant UNEP activity is its Regional Seas Program, promoting marine and coastal zone environmental protection agreements among littoral states of the ocean area covered. The United States is participating in the Action Plan for the Wider Caribbean Region developed under the auspices of the Regional Seas Program.

UNEP GOVERNING COUNCIL

The 10th anniversary of the Stockholm Conference was celebrated at the session of a special character of the UNEP Governing Council, held in Nairobi May 10–18, 1982. Delegations from 106 member states took part in this anniversary session, which was attended also by representatives of the United Nations and 20 other members of the UN system. In addition, 47 international and 66 other national and international non-governmental organizations sent observers.

In the main, the session of a special character represented a reaffirmation of the "spirit of Stockholm." At Nairobi in 1982, however, "the sense of urgency" recorded at Stockholm was felt more urgently, UNEP's Executive Director, Dr. Mostafa Tolba (Egypt), subsequently reported to the General Assembly. He declared, "we are rapidly running out of time to deal with the environmental problems identified at Stockholm and others which have emerged in the intervening years."

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[14] Members in 1982 were Afghanistan, Argentina, Bangladesh, Belgium, Botswana, Brazil, Bulgaria, Burundi, Byelorussian S.S.R., Canada, Chile, China, Colombia, Egypt, Ethiopia, France, Gabon, Federal Republic of Germany, Ghana, Greece, Guinea, Haiti, Iceland, India, Indonesia, Jamaica, Japan, Kenya, Libya, Malaysia, Mauritania, Mexico, Morocco, Netherlands, New Zealand, Oman, Pakistan, Peru, Poland, Saudi Arabia, Senegal, Sierra Leone, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Tanzania, Thailand, Ukrainian S.S.R., U.S.S.R., United Arab Emirates, United Kingdom, United States, Uruguay, Venezuela, Yugoslavia, and Zaire.

The U.S. Delegation was headed by Under Secretary of State for Security Assistance, Science, and Technology, James L. Buckley; also included were Anne M. Gorsuch, Administrator of the Environmental Protection Agency, and A. Alan Hill, Chairman of the Council on Environmental Quality. Mrs. Gorsuch, in the principal U.S. statement to the session, restated the fundamental U.S. commitment to international environmental efforts and support for UNEP's coordinating and catalytic role, and pointed out the need for improving the scientific and technical information on which effective environmental programs and policies must be based. She urged "that in UNEP and throughout the UN system, high priority be attached to examining, strengthening, and expanding the scientific and technical foundation for understanding and addressing environmental problems."

The special session concluded with the adoption, by consensus, of the Nairobi Declaration reaffirming the principles of the Stockholm Declaration on the Human Environment and urging the need to intensify national, regional, and international efforts "to improve the quality of our shared environment." The Nairobi Declaration recognized, at U.S. urging, that "combinations of market and planning mechanisms can also favor sound development and national environmental and resource management." The session adopted a Plan of Action comprising four sections: (1) a review of environmental achievements in the decade since Stockholm, (2) an identification of future trends and basic priorities, (3) a reaffirmation of UNEP's coordinating and catalytic mandate, and (4) an endorsement of the basic environmental framework of UNEP.

The 10th regular session of the Governing Council took place May 20–29 immediately following the session of a special character. The most important achievement of the 10th session was its approval of the System-Wide Medium-Term Environment Program (SWMTEP) for 1984–89. SWMTEP is intended to provide a structure for environmental activities of all components of the UN system. Insofar as it reduces duplication of effort and facilitates the identification of priority areas, it will represent a significant step toward the realization of UNEP's coordination responsibilities. The Council directed the Executive Director to prepare the UNEP Program and Budget for the biennium 1984–85 in the light of its approval of SWMTEP, for consideration at its 11th session.

In other important actions, the Council approved the development, on a trial basis, of a mechanism for assisting developing countries in dealing with their serious environmental problems; provided for the continuation of UNEP's work on the development and periodic review of environmental law; and authorized the Executive Director to convene an experts meeting to develop regional cooperation programs for Latin America and the Caribbean.

During 1982 voluntary contributions to the Environment Fund amounted to approximately $30 million of which the United States contributed $7,833,000 of a pledge of $7,850,000, the difference representing the withholding, as required by U.S. law, of the U.S. proportionate share of UNEP financing of projects in Cuba.

Under UNEP's aegis, work progressed during 1982 on the development of a Convention for the Protection of the Marine Environment of the Wider Caribbean and a related protocol on combating oil spills in the Caribbean. It was expected that a final experts meeting and a plenipotentiary conference would be held early in 1983 to complete the negotiation of these arrangements.

ECOSOC AND GENERAL ASSEMBLY CONSIDERATION

The 1982 2nd regular session of ECOSOC adopted by consensus two resolutions dealing with UNEP's activities. The first welcomed UNEP's report on the implementation of the Plan of Action to Combat Desertification in the Sudano-Sahelian Region and urged governments to support the Plan. (Resolution 1982/55.)

The second resolution addressed other decisions taken at the 10th session of the Governing Council. This omnibus resolution took note of and generally endorsed the most significant actions taken by the UNEP Governing Council. In addition, the resolution expressed ECOSOC's concern over the persistence of desertification and the pace of implementation of the UN's Plan of Action to Combat Desertification and also recommended that the General Assembly request UNEP to present its views on the implementation of the Plan in the Eastern and Southern African sub-regions. (Resolution 1982/56.)

At the 37th General Assembly, the UNEP Governing Council's report was considered by the Second Committee at eight meetings between November 16 and December 8. The Committee considered and subsequently recommended the adoption by the General Assembly of six resolutions relating to the environment.

The first resolution, "Remnants of war," requested that the Secretary General with the cooperation of UNEP prepare a "factual report on the problems of remnants of war" for consideration at the 38th General Assembly. The issue reflects an ongoing Libyan effort to put pressure, through the United Nations, on World War II combatants in North Africa to help locate and remove mines laid in the Libyan Desert. the United States and others believe this is essentially a bilateral issue between Libya and the countries concerned and is mislabeled an environmental issue. An amendment to the resolution was offered by the United States in the Second Committee, to require the Secretary General to implement the activities called for in the resolution only if they could be financed

within the level of resources in the 1982–83 budget; this amendment was rejected by a vote of 83 to 30 (U.S.), with 16 abstentions. The final resolution was adopted by the General Assembly on December 20 by a vote of 125 to 0, with 25 (U.S.) abstentions. (Resolution 37/215.)

The remaining five resolutions were largely non-controversial and all were adopted by the General Assembly on December 20 without a vote.

The most important was an omnibus resolution dealing with the report of the 10th session of the UNEP Governing Council. While joining in consensus approval of this omnibus resolution, the United States, in Second Committee on December 8, recorded reservations on two paragraphs. The first dealt with the 10th session decision relating to impacts of apartheid on environment, which the United States had voted against on the ground that it introduced an extraneous political issue into a technical forum. The second reservation, also stated at the 10th session of the Governing Council, related to the Council's action on the program for the development and periodic review of environmental law. Some activities set out in this program, relating to the development of guideline principles and possible treaties on marine pollution from land-based sources, hazardous substances, and hazardous wastes were being scheduled prematurely, in the view of the United States. (Resolution 37/217.)

Three of the remaining resolutions dealt with desertification. One related to UNEP's report on implementation of the Plan of Action in the Sudano-Sahelian Region. (Resolution 37/216.) The second was of a more general nature, expressing concern at the slow implementation of the Plan of Action because of the lack of adequate financial resources and urging governments to increase their support. (Resolution 37/218.) The third dealt with an interim report from the Secretary General on feasibility studies of measures of financing the Plan of Action to Combat Desertification. The General Assembly urged member states to communicate their views on the studies to the Secretary General to enable him, in cooperation with the Executive Director of UNEP, to report to the 38th General Assembly. (Resolution 37/220.)

The fifth consensus resolution welcomed the report of the session of special character of the UNEP Governing Council and its adoption, which the General Assembly endorsed, of the Nairobi Declaration and Plan of Action. (Resolution 37/219.)

Harmful Products

On the related subject of international commerce in potentially hazardous substances, the Venezuelan delegation introduced a draft resolution at ECOSOC's 2nd regular session of 1982. However,

because time ran out for consideration of the text, the Council agreed to permit the delegation to take the issue directly to the General Assembly.

At the General Assembly, the text was opposed by delegations that wished to avoid duplication of effort that had been requested by the Assembly in its resolution 36/166 of 1981 and also that being undertaken by the Center for Transnational Corporations in response to ECOSOC resolution 1981/62. Extended negotiations on the Venezuelan draft resolution took place during the course of the Assembly, but no consensus could be reached.

The Assembly ultimately adopted a resolution entitled "Protection against products harmful to health and the environment." The text request, *inter alia*, the Secretary General to prepare and regularly update "a consolidated list of products whose consumption and/or sale have been banned, withdrawn, severaly restricted or, in the case of pharmaceuticals, not approved by governments," and to make the list available not later than December 1983. The resolution said that the list should contain both generic/chemical and brand names, the names of all manufacturers of the relevant products, as well as a short reference to the grounds and decisions taken by governments that led to the "banning, withdrawal, or severe restriction" of those products. The resolution also said that the Assembly "agrees" that products banned from domestic consumption and/or sale because they have been judged to endanger health and the environment should be sold abroad by companies, corporations, or individuals "only when a request for such products is received from an importing country or when the consumption of such products is officially permitted in the importing country." (Resolution 37/137.)

The United States, agreeing with the basic approach of the resolution, said it concurred with the point that each nation must be primarily responsible for protection of its own consumers and said it supported efforts to strengthen the capacities of developing nations to make better informed judgments in the area of potentially harmful products. It agreed that countries with highly developed regulatory procedures should make available to all interested nations information on action taken to regulate products deemed harmful to health and the environment and pointed out that the United States currently made available more information on regulatory action than any other UN member country.

Nevertheless, the United States, in a statement before the Second Committee on December 8, explained that it was concerned by categoric and unsubstantiated judgments in the text that the mere production and export of certain products were harmful to health and the environment, contentions which ignored the necessary balance of risks and benefits of use of these products under specific circumstances. The United States also said it was troubled by a

number of ambiguities regarding specific words in he text, such as "severaly restricted" and "not approved," and suggested that the task of compiling a list would be essentially unmanageable unless the mandate was interpreted in a sensible and carefully defined way. The United States also was concerned that the resolution had been extimated to require additional funds from the UN budget. It, therefore, proposed an amendment to require the tasks requested in the resolution be carried out within existing resources. The Committee rejected the amendment by a vote of 111 to 8 (U.S.), with 10 abstentions, and then approved the draft resolution as a whole by a vote of 132 to 1 (U.S.), with 0 abstentions; in plenary, on December 17, the resolution was adopted by a vote of 146 to 1 (U.S.), with 0 abstentions.

Human Settlements

The United States participated in the 5th session of the Commission on Human Settlements which was held at the headquarters of the UN Center for Human Settlements, Nairobi, Kenya, April 26–May 7, 1982. The Commission provides policy guidance to the Center for Human Settlements (Habitat) located in Nairobi. Participating at the session as members or observers were 94 countries, 58 of which were members of the Commission. Representatives of the other states attended in observer status. In addition to representatives of UN specialized agencies, other UN bodies and intergovernmental organizations, 21 non-governmental organizations were present as observers.

The Commission discussed and adopted resolutions on various items, *inter alia*, (1) a report on the activities of the UN Center for Human Settlements (Habitat) by its Executive Director, Mr. Arcot Ramachandran; (2) a discussion on planning for human settlements in disaster-prone areas; (3) a discussion on transportation for urban and rural areas, with emphasis on groups with limited resources; (4) a discussion on the proposed International Year of Shelter for the Homeless; and (5) a report on financial and other assistance provided to and among developing countries on human settlements and on human settlements activities of the UN system.

All of the resolutions adopted by the Commission were approved by consensus with one exception. The resolution was entitled "Assistance to victims of apartheid and colonialism." The French delegate made a statement on behalf of the Western European and Others Group (WEOG), which includes the United States, pointing out that the WEOG deplores apartheid and colonialism, but that the Commission on Human Settlements is not the proper forum for this kind of political issue and had the issue come to a vote the WEOG members present would have had to abstain. This was the first year in which a

resolution on "Assistance to the Palestinian people" was not introduced at a meeting of the Commission.

The Commission also adopted a resolution recommending: (1) that the General Assembly designate 1987 as the "International Year of Shelter for the Homeless"; (2) that the UN Center for Human Settlements (UNCHS) should be the intergovernmental body responsible for organizing and coordinating activities for the International Year; (3) that all states be invited to support the Commission; and (4) that UNCHS be requested to provide overall reports on the progress of the approved program. With respect to the proposed International Year, the United States urged that efforts in relation to the proposed program focus on the presentation of existing and planned projects, on their evaluation, and on the wide dissemination of the resultant information in order that the lessons learned may be shared by all. The United States also suggested that the planning and promotion period be significantly shortened to reduce cost.

The Commission also referred several resolutions to the General Assembly through the Economic and Social Council. One of these was entitled "Mobilization of financial resources for the development and improvement of Human Settlements," and another was called "Coordination of Human Settlements programs within the UN system."

ECOSOC

The 1982 summer session of ECOSOC adopted a two-part resolution on Human Settlements: one on "Cooperation in the field of Human Settlements," and the other on the 1987 "International Year of Shelter for the Homeless." (Resolution 1982/46 A and B.) The first part sent to the General Assembly a report by the Commission on Human Settlements. This part also transmitted to the General Assembly without comment several Commission resolutions.

With reference to the second part of the resolution on the proposed 1987 "International Year of Shelter for the Homeless," the United States took exception to the statement in the draft that the Executive Director of the Center for Human Settlements (Habitat) had proposed "a cost-effective way to organize and coordinate the acativities of the Year." The United States favored wording that would indicate that more work, including budgetary analysis, must still be done and it continued to believe that the cost of the Year should be reduced and funding should be from voluntary sources, as foreseen in ECOSOC resolution 1980/67 on International Years. While the United States was not successful in gaining approval of our proposed textual change, we did join in the general consensus on the resolution while stating the hope that the 37th General Assembly would accept our reasoning. In a separate but parallel decision,

ECOSOC decided to authorize the Secretary General to submit directly to the General Assembly at its 37th session his own report on the financial and organizational implications of holding an "International Year of Shelter for the Homeless."

As a result of the war in Lebanon, a supporting document for the ECOSOC discussion on Human Settlements entitled "Report of the Secretary General on the living conditions of the Palestinian people in the occupied Palestinian territories" was seized upon by many speakers as a springboard for an attack on Israel. The United States was also attacked by a few speakers for its alleged complicity in Israel's invasion of Lebanon. ECOSOC decided to "take note" of the Secretary General's report and transmit it to the General Assembly for discussion at its 37th session.

GENERAL ASSEMBLY

On December 20 the General Assembly adopted three resolutions relative to Human Settlements under the agenda item "Development and International Cooperation." The resolutions were considered and approved by the Second Committee at five meetings between November 4–23.

The first resolution was introduced by Bangladesh on behalf of the Group of 77, and was entitled "International Year of Shelter for the Homeless, 1987." After informal consultations, the Vice Chairman of the Committee submitted a draft resolution based on the original draft. This draft included a provision that the United States had argued for during the negotiations, i.e., that "the criteria for financing and organizing international years set forth in the annex to ECOSOC resolution 1980/67 will be complied with and on the understanding that the program of measures and activities to be undertaken prior to and during the Year will be adjusted in accordance with the availability of voluntary contributions." The original draft was withdrawn by Bangladesh on behalf of its sponsors and the second approved without a vote in Committee on November 23, and adopted in the plenary Assembly in the same manner. (Resolution 37/221.)

On November 15, Saudi Arabia introduced a draft resolution subsequently sponsored by 17 other states. The draft concerned "Living Conditions of the Palestinian people in the occupied Palestinian territories." Speaking in the Second Committee before the vote the U.S. Representative, Donnell D. Smith, said that the United States was second to none in the assistance it had given to Palestinian refugees. Since the establishment of UNRWA some 33 years earlier, the United States had contributed some $ 1 billion—about half the total contributions received by that Agency. The draft did nothing to address the economic needs of the Palestinians, but

simply raised political questions that could be resolved only through negotiations between the parties to the conflict. For those reasons, his delegation would vote against the resolution. The draft was approved in Committee by a recorded vote of 128 to 2 (U.S., Israel), with 4 abstentions and adopted in the General Assembly by a vote of 145 to 2 (U.S., Israel), with 3 abstentions. (Resolution 37/222.)

The final draft, also submitted by the Vice Chairman after informal negotiations, took note of the report of the Commission on Human Settlements, recommended methods of mobilizing financial resources for the development and improvement of human settlements, and requested the Secretary General and organizations of the UN system to accelerate their efforts to achieve greater harmonization and coordination of human settlement activities. The resolution was adopted without a vote in the plenary Assembly. (Resolution 37/223.)

WORLD CHARTER FOR NATURE

The idea of developing a World Charter for Nature was first broached by Zaire in 1979 at the 34th General Assembly. This was followed by Zaire's introduction at the 35th session of a draft Charter. The UNEP Secretariat and the International Union for Conservation of Nature and Natural Resources were assigned the task of drafting subsequent modifications in the charter text, and a revised draft was submitted to the 36th General Assembly. Member states which had not already done so were invited to submit their comments. The final text was circulated to governments for final review only a few weeks before it was presented to the 37th General Assembly for action.

From the initial appearance of this item on the Assembly's agenda, the United States had endorsed its underlying principles. Nevertheless, the United States has had continuing problems with certain apparently binding formulations in the charter text which were out of character for UN documents of this type which normally make only recommendations.

At the 37th General Assembly, Zaire on behalf of 35 other countries, introduced a draft resolution which included a revised Charter. In his introduction of the draft, the delegate from Zaire expressed the desire for an immediate decision by the Assembly. The U.S. Representative, Robert Zimmerman, said that the United States had been historically among the world leaders in calling attention to the objectives and needs addressed in the revised document and in supporting international efforts to achieve those directives. However, there were still some problems with the text. Informal consultations with other states made it apparent that clarification and adjustments were needed to improve its precision and thereby its

meaning. Mr. Zimmerman proposed that the discussion of the item be delayed to allow a small working group to meet with the Zairian Delegate to work out the difficulties. He went on to say that if a vote were to be taken immediately, the United States would reluctantly have to vote against it. The proposal was rejected by a vote of 36 (U.S.) to 73, with 12 abstentions.

The Assembly then heard an explanation of vote before the voting given by Brazil on behalf of the states parties to the Treaty for Amazonian Cooperation: Bolivia, Colombia, Eduador, Guyana, Peru, Suriname, Venezuela, and Brazil. While noting that the Amazonian countries would only abstain in the vote, the Brazilian statement revealed that these countries had nevertheless serious substantive difficulties with the draft charter. Notwithstanding this evidence of substantial problems on the part of a significant number of countries, the Charter was adopted on October 28 by a vote of 111 to 1 (U.S.), with 18 abstentions. (Resolution 37/7.)

Speaking after the vote, Mr. Zimmerman expressed regret that the sponsors of the charter resolution had been unwilling to permit a delay in the Assembly's final action. He pointed out that the United States, nevertheless, remained firmly in support of the basic aim of the charter initiative; namely to promote greater worldwide attention to the need to respect and protect nature and the environment.

New and Renewable Sources of Energy

The UN Conference on New and Renewable Sources of Energy, held in Nairobi August 10–21, 1981, had adopted a Program of Action. The 36th General Assembly decided to establish an Interim Committee, open to all members, to "launch the implementation of the Nairobi Program of Action." (Resolution 36/193.) The Interim Committee met in Rome in June 1982 to deal primarily with the financial and institutional issues left unresolved in Nairobi.

Discussion centered on the role of the UN system on implementation of the Program of Action and the establishment of "consultative mechanisms" to generate additional funding, improve coordination between various sources of financing, and encourage cofinancing of the Program. The United States and other industrialized countries emphasized the importance of bilateral and private efforts, but joined in a consensus report noting that the UN system "has a vital role to play" because of its universal nature.

The Interim Committee reached agreement that there should be UN Secretariat support on a continuous basis to monitor the consultative meetings and serve as a focal point of information. It requested the Secretary General to submit his recommendations to the 37th General Assembly on the most effective and efficient arrangements for this support.

The major area of disagreement at Rome was the question of establishing permanent institutional arrangements for implementing the Nairobi Program of Action. The United States and other developed countries attempted to limit the expansion of the UN bureaucracy by proposing that followup functions be carried out by the already existing Committee on Natural Resources. The Group of 77 pressed for the establishment of a new intergovernmental committee and a new support unit within the Secretariat. The Rome meeting ended with the institutional questions unresolved.

GENERAL ASSEMBLY

On November 23 Bangladesh, on behalf of the Group of 77, introduced in the Second Committee a seven-part resolution on "Immediate implementation of the Nairobi Plan of Action for the Development and Utilization of New and Renewable Sources of Energy." After informal consultations, a revised draft based on the original with some revisions was introduced on December 17. The draft, *inter alia*, (1) welcomed in principle the Secretary General's report on Secretariat arrangements to provide support arrangements which include both coordination functions and support services; (2) decided to establish an Intergovernmental Committee on the Development and Utilization of New and Renewable Sources of Energy (open to participation by all states members) to meet every 2 years in even years, except the first meeting to be held in the first quarter of 1983; (3) outlined a Secretarial support framework for the committee; and (4) specifically called for the appointment of a special coordinator and a new unit in the office of the Director General for Development and International Economic Cooperation. The resolution was approved on the same day by a vote of 108 to 9 (U.S.).

Speaking in explanation of vote the U.S. Representative, Dennis Goodman, said that he had voted against the draft resolution because it would result in the establishment of an unnecessary committee and had unnecessary financial implications for the 1982–83 and future budgets. The Committee on Natural Resources was perfectly capable of dealing with any activities pertaining to the development of new and renewable sources of energy. His delegation had wanted the mandate of the Intergovernmental Committee called for in the draft resolution to be more explicit, especially since paragraph 59 of the Nairobi Program of Action called for the participation of all governments in its implementation.

His delegation was in favor of zero net growth of the UN program and therefore wished any increased costs to be offset by identical savings in other areas. The United States believed, moreover, that the development of alternative energy resources should form part of national energy plans which involved both private enterprise and

multilateral assistance. While it believed that the United Nations had a role to play in natural resources development, his delegation regretted that consensus had not been reached as to the nature of that role.

On December 21, the draft resolution was adopted in the General Assembly by a vote of 136 to 10 (U.S. and 9 Eastern European countries). (Resolution 37/250.)

Science and Technology for Development

By resolution 34/128 of December 19, 1979, the General Assembly created three bodies: the Intergovernmental Committee for Science and Technology for Development (IGCSTD), open for participation by all UN members, to formulate policy guidelines and identify priorities and activities in this area; the Center for Science and Technology for Development to coordinate science and technology activities within the UN system at the Secretariat level; and the Interim Fund for Science and Technology for Development to be sustained by voluntary contributions and administered by UNDP until the end of 1981. The mechanism of the Interim Fund is being continued provisionally until a permanent financing system can be negotiated.

The United States actively participated in both the regular and resumed 4th session of the IGCSTD in 1982. Prior to the IGCSTD there were meetings of an *Ad Hoc* Intergovernmental Group of the Whole on Science and Technology for Development; but no progress was made in resolving the major financial and institutional issues related to the establishment of a long term Financing System for Science and Technology for Development.

The regular 4th session of the IGCSTD, May 24–June 4, and the resumed session, September 8–19, were also unproductive. While the United States, Canada, and the United Kingdom repeated their unwillingness to contribute to a financing system, the European Community countries sought to establish a fund of $100 million, which would be funded by the European Communities, Japan, and OPEC countries. This scheme was further undermined, however, in the resumed session, when West Germany indicated it would not be able to contribute to the fund. Earlier, at a spring pledging session, the lack of interest in providing funds for the Financing System was manifested by pledges totaling only $5 million.

On December 21, 1982, by a vote of 137 to 0, with 9 (U.S.) abstentions, the 37th General Assembly adopted a resolution which had been recommended by the Second Committee that was a procedural move designed to keep the debate on science and technology for development going. (Resolution 37/244.) Although the resolution established long-term financial and institutional arrangements, it left open to negotiation the difficult questions of establishment of

the provisions of the proposed financing plan and the voting rules for its ExecutiveBoard. These were to be further negotiated at a special session of the IGCSTD in February or March 1983.

The U.S. Representative, Dennis Goodman, summed up the U.S. position on science and technology for development when he spoke in explanation of his abstention vote in the Second Committee. He said that the U.S. Government very strongly supported the notion of increasing the ability of developing countries to use science and technology to further their development programs. His Government unfortunately found itself unable to support yet another UN fund and would not be able to contribute to such a fund for the foreseeable future. However, he stressed that his Government did not wish to dissuade those who might contribute to the fund or to hinder its operation in any way.

UN Institute for Training and Research

Established in New York in 1965 as the result of U.S. initiatives embodied in resolutions passed by the General Assembly in 1962 and 1963, the UN Institute for Training and Research (UNITAR), an autonomous UN Institution, has as its purpose to enhance the effectiveness of the structure and functioning of the UN system through interrelated training and research. UNITAR, by direction of the General Assembly, is supposed to be entirely dependent upon voluntary contributions. On two occasions in the past the General Assembly had to make up UNITAR's deficits with grants-in-aid.

UNITAR has three main programs: training courses and seminars developed for diplomats accredited to the United Nations and for Secretariat personnel, a research department attuned to the current needs and interests of the international community, and the project on the future which conducts studies of long-term global problems and policy choices for the United Nations.

The Secretary General appoints 24 of the 28 members of the Board of Trustees of UNITAR in consultation with the Presidents of the Assembly and ECOSOC; each serves in an uninstructed personal capacity for not more than two 3-year terms. There are four *ex-officio* board members: the UN Secretary General; the President of the General Assembly; the President of ECOSOC; and the Executive Director of UNITAR who is Dr. Davidson Nicol of Sierra Leone. Since September 1982, the American on the Board of Trustees has been Dr. Joel Segall, President of Bernard M. Baruch College of New York.

In spite of the financial limitations under which it has worked, UNITAR's Training Department has continued its usual level of training courses and also its discussion and orientation seminars on major issues facing the United Nations. Of note among the training

courses, which have become annual fixtures, are the seminar for new delegates to the General Assembly; the seminar on economic development and its international setting, cosponsored by UNITAR and the Economic Development Institute (EDI) of the World Bank; and the joint United Nations-UNITAR Fellowship Program in International Law. The Training Department also has continued to respond to requests for reimbursable assistance from various member states.

Since 1980, UNITAR's Department of Research has focused on two topic clusters: (1) studies in UN policy and efficacy, and (2) studies in regional cooperation for development. UNITAR expects that the policy and efficacy studies will enable it to make independent assessments of policies and institutions important to the UN system by presenting issues, illustrating options, and assessing the costs and benefits of various alternatives in a concise fashion for diplomats, administrators and scholars. Within this context, UNITAR's publications have begun to identify new challenges likely to confront the United Nations; to examine its capacity for renewal and innovation; and to study the interrelation between the component parts of the system.

The Department of Research is currently staffed by 12 professionals, with the position of Director of Research remaining vacant. Of these positions, only four are supported by the UNITAR General Fund while the remainder are funded by special purpose grants or are filled by volunteers. In addition to this basic staff, the Department of Research has a "clinical program" which has 26 graduate students from various countries and universities (but largely from New York University) to work for 1 year at UNITAR, without compensation but for academic credit. In return for the training of clinicians by UNITAR, some funding is provided to ensure the participation of students from different countries.

Article II(3) of the UNITAR Statute stipulates that the "Institute shall conduct research and studies related to the functions and objectives of the United Nations. Such research and study shall give appropriate priority to the requirements of the Secretary General, other UN organs, and the specialized agencies." In response to this mandate UNITAR published a number of studies during 1982 dealing with (1) critical assessment of the role and prospects of the International Law Commission, (2) quantitative analysis of voting behavior in the General Assembly, (3) lessons of the LOS negotiations, (4) implementing restructuring, (5) lessons of the 11th special session of the General Assembly, (6) the new international economic order, international law in the making, (7) diplomats' views of the UN system, and (8) model rules for disaster relief operations.

Some of the projects being undertaken under the topic cluster studies in regional cooperation for development include (1) regional and interregional cooperations in the 1980's, an attempt to devise an

integrated set of policy recommendations to enhance Third World self reliance and intra and interregional economic cooperation; (2) population movements within the Caribbean and implications for development planning, this will contain cost-benefits analyses of regional migration for migrant workers and their families and for labor-donor and labor-recipient societies, as well as recommendations for regional migration programs, policies, and future research; and (3) Asian regionalism and the United Nations. This study is one of the first to examine the relationship between the Asian Regional intergovernmental organizations and the United Nations and to examine the implementation of the restructuring of the economic development subsystem of the United Nations on regional organizations.

UNITAR's Project on the Future continues to focus on two broad themes: (a) policy choices related to the implementation of a new international economic order, and (b) the meaning of physical limits and supply restraints on energy and natural resources. A number of projects fall within the scope of policy choices: (a) technology, domestic distribution and North/South relations, and (b) regional approaches to the problems of the future including strategies for the future of Africa, and Asia, and strategies of cooperation in the Mediterranean area.

Under the rubric of "energy and natural resources," UNITAR focused on the following sub-themes: (a) the February 1982 Second International Conference on Heavy Crude and Tar Sands in Caracas, Venezuela, and (b) the UNITAR/UNDP Information Center on Heavy Crude and Tar Sands. The Third International Conference on Heavy Crude and Tar Sands will be held at the Information Center in 1985. Through the use of computers, a link has been established to the Alberta (Canada) Oil Sands Technology and Research Authority at Edmonton and negotiations are now underway to create a similar link to the relevant computerized information collections of the U.S. Department of Energy as well as with other organizations in the United States and Western Europe. Agreement has also been reached to permit storage of information in the UN computer.

At its request, the financial administration of the Center was transferred, in January 1982, to the UN Development Program. While this will lessen the burden on the small administrative staff of UNITAR, all managerial decisions still will be vested jointly with UNITAR and UNDP. The United States contributed $422,000 to UNITAR's General Fund in fiscal year 1982, or 23.9% of total government pledges of almost $1.8 million.

On December 8 Pakistan introduced a draft resolution in the Second Committee. The draft, subsequently sponsored by 25 other member states, *inter alia*, welcomed the continuing emphasis that UNITAR was placing on economic and social training and research

and the inclusion of specific projects existing in areas identified by the 6th and 7th special sessions of the General Assembly, the decisions of the 29th and subsequent sessions, and in the International Development Strategy; welcomed further the efforts to strengthen the coordination of UNITAR activities and cooperation with relevant organs and organizations within the UN system; and requested the Secretary General to examine all possibilities for funding UNITAR in order to place its financing on a more predictable, assured, and continuous basis, and to submit a report thereon to the 38th General Assembly. Speaking in Committee after the vote the U.S. Representative, Dennis Goodman, said the United States considered the proposed report unacceptable. It called for an examination of all possibilities for funding UNITAR and the effect of that approach would be to delay until the next session of the General Assembly, or even longer, the adoption of measures necessary for the solution of the Institute's financial problems. The United States had been among the countries which had helped to draft the statute of UNITAR. The decision that the Institute's budget should be financed from voluntary contributions had been taken with a view to guaranteeing objectivity in UNITAR research activities. The United States believed that it was pointless to adopt a solution which was contrary to one of the basic principles laid down when UNITAR had been established and which sought to make further inroads into the regular budget of the United Nations. The draft was approved in the Committee on the same day by a recorded vote of 121 to 8 (U.S.), with 1 abstention. The plenary Assembly adopted the resolution on December 17 by a rollcall vote of 133 to 8 (U.S.), with 1 abstention. (Resolution 37/141.)

United Nations University

The General Assembly adopted by consensus on December 17 its annual resolution on the United Nations University. The resolution noted, among other things, that the recent report of the Joint Inspection Unit supported the new direction and expanded scope of the UN University, commended the renewed emphasis the University's program places on the multi-disciplinary and integrative approach to global problem solving and appealed for contributions to the University's Endowment and Operating Funds. The United States, which fully supports the UN University concept, joined the consensus despite its inability to make any financial contribution. (Resolution 37/143.)

The University's budget for 1982 was $17.5 million. Pledges to the Endowment and Operating Funds stood at $145.1 million. The UN University Council met twice in 1982 to review the University's progress. The Council's 19th session was held June 21–25, and the

29th session met December 6–10; both meetings took place in Tokyo at UN University Headquarters. The latter session approved the proposed program and budget for 1983.

University for Peace

The General Assembly did not consider a resolution on the Costa Rican-headquartered University or take any other action on the University for Peace in 1982. Financing for the University has no fiscal implications for the UN budget or that of the UN University. The United States is not a signatory to the international agreement which established the University.

EFFECTS OF ATOMIC RADIATION

The UN Scientific Committee on the Effects of Atomic Radiation (UNSCEAR)[15] was established by the General Assembly in 1955 to provide continuous review and evaluation of the effects of ionizing radiation on humans and their environment. Radiation in this context covers both natural and manmade (i.e., from atmospheric and surface nuclear-weapons tests, nuclear power plants, and peaceful nuclear explosions), environmental radiation, and medical and occupational exposures.

The General Assembly has annually requested the Committee to continue its work, including its important coordinating activities to increase knowledge of the levels, effects and risks of ionizing radiation from all sources.

Under its terms of reference, the Committee receives, assembles, and compiles reports and information furnished by its member states, members of the United Nations, specialized agencies, the IAEA, and non-governmental organizations, on observed levels of ionizing radiation and on scientific observations and experiments relevant to the effects of ionizing radiation on man and his environment.

Since its establishment, the Committee has prepared and submitted to the UN General Assembly five comprehensive reports on the effects of ionizing radiation, the latest in 1982. In addition to collation and evaluation of the literature on radiation effects, UNSCEAR agreed in 1973 to evaluate the radiological hazards created by the testing activities of one country if asked to do so by a possibly injured neighboring country. To date, no such evaluation has been requested.

The 31st session of UNSCEAR met in Vienna from March 15–26, 1982. The U.S. delegation was headed by Dr. Robert D. Moseley, Jr.,

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[15] The members are Argentina, Australia, Belgium, Brazil, Canada, Czechoslovakia, Egypt, France, Federal Republic of Germany, India, Indonesia, Japan, Mexico, Peru, Poland, Sudan, Sweden, U.S.S.R., United Kingdom, and United States.

Professor of Radiology at the University of New Mexico. The session was concerned with final consideration of chapters for the 1982 report to the General Assembly. This document, *Ionizing Radiation: Sources and Biological Effects*, was submitted to the General Assembly in October 1982.

The 32nd session of UNSCEAR is scheduled for June 20–24, 1983 in Vienna, and is expected to consider draft documents for subsequent reports to the General Assembly.

HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

The principal human rights organ of the United Nations, the Commission on Human Rights,[16] held its 38th annual session February 1–March 12, 1982, in Geneva. The U.S. Delegation was led by Michael Novak. Richard Schifter was appointed as principal alternate to Mr. Novak. The Commission's report was subsequently considered by ECOSOC at its 1st regular session of 1982, which met in New York April 13–May 7, 1982. Finally, the Third Committee of the 37th session of the UN General Assembly considered a lengthy agenda of human rights issues.

The Commission's expert Subcommission on Prevention of Discrimination and Protection of Minorities held its 35th regular session in Geneva August 16–September 10, 1982.

Elimination of All Forms of Religious Intolerance

Following almost two decades of consideration, study, and discussion, the UN General Assembly in 1981 adopted the Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief. It remained for the General Assembly to develop a plan for the implementation of the Declaration.

The 37th session of the General Assembly considered an Irish draft resolution reaffirming the basic principles of the Declaration and the need for its implementation and wide publicity. It called for wide dissemination by the Secretary General and invited governments to take the necessary steps to ensure the Declaration's wide publicity. Finally, the resolution expressed the General Assembly's consciousness of the need to implement the provisions of the Declaration, requested the Commission on Human Rights to consider the necessary implementing measures, and agreed to include the item on the agenda of the General Assembly's 38th session. The General Assem-

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[16] Members in 1982 were Algeria, Argentina, Australia, Brazil, Bulgaria, Byelorussian S.S.R., Canada, China, Costa Rica, Cuba, Cyprus, Denmark, Ethiopia, Fiji, France, Gambia, Federal Republic of Germany, Ghana, Greece, India, Italy, Japan, Jordan, Mexico, Netherlands, Pakistan, Panama, Peru, Philippines, Poland, Rwanda, Senegal, Syria, Togo, Uganda, U.S.S.R., United Kingdom, United States, Uruguay, Yugoslavia, Zaire, Zambia, and Zimbabwe.

bly approved the resolution without a vote, both in Third Committee, on December 7, and in plenary on December 18. (Resolution 37/187.)

On November 23 in a statement before the Third Committee, the U.S. Representative, Senator Robert W. Kasten, Jr., declared that the right to freedom from religious intolerance "is a right of all humanity which exists independent of and prior to the prerogatives of states." Adopting the Declaration, however, he added, has not solved the problem of religious intolerance, but merely established an international standard to which the world should adhere. In Iran, for example, the treatment of the Baha'i "embodies in a particularly brutal way the classic form of religious intolerance which says that what is different must be wrong and must, therefore, be suppressed." Senator Kasten concluded that "the present Iranian Government seems determined to destroy the Baha'i religion in Iran." Senator Kasten also pointed to examples of religious intolerance existing in Vietnam, Albania, Nicaragua, and the Soviet Union.

As an example of the nature of religious persecution in the Soviet Union, Senator Kasten drew upon the vivid, moving picture presented in a letter from Natalia Solzhenitsyn, wife of the Nobel laureate. Senator Kasten called upon the United Nations and world community to resist these instances of religious intolerance. (The full text of Senator Kasten's remarks is contained in a supplement to this report.)

Self-Determination

The subject of self-determination has been a recurring item on the agenda of the Commission on Human Rights. At its 38th session, the Commission considered issues dealing with the concept of self-determination for the peoples of Afghanistan, Kampuchea, the Western Sahara, Palestine, and Namibia. Five resolutions were adopted by the Commission on this subject. The U.S. Representative, Mr. Schifter, indicated in a speech before the Commission February 5, on the subject of self-determination, that "2 years and 2 months after the Soviet invasion of Afghanistan the puppet regime and foreign occupier are still in place, depriving the people of Afghanistan of the right to self-determination." Mr. Schifter said the invasion was "entirely unprovoked," and proved that the Soviet Union was committed to a policy of hegemonism: "The aspiration of one country to dominate others." He stressed the necessity of the world community to persuade the Soviet Union to respect the Afghan right of self-determination and withdraw its troops of occupation.

In addressing the situation in Kampuchea, Mr. Schifter noted that the Khmer people have suffered the same fate. He charged that the international community had been impotent in dealing with the

mass murder of Kampucheans, especially during the Pol Pot regime, further stressing that "now that country must suffer the further indignity of foreign occupation and its continued deprivation of its right of self-determination."

The Commission approved on February 25, by a vote of 32 (U.S.) to 7, with 4 abstentions a resolution which called for the immediate withdrawal of foreign troops from Afghanistan; a political settlement of the situation in Afghanistan on the basis of such withdrawal; and full respect for the independence, sovereignty, territorial integrity, and non-aligned status of the country. As in the resolution approved by the Commission the previous year, this resolution called for the right of return for refugees, most of whom were being cared for by Pakistan. (Resolution 1982/14.)

With respect to Kampuchea, the Commission on Human Rights passed a resolution reiterating its condemnation of the gross and flagrant violations of the right to self-determination by forces of foreign occupation. The resolution called for the end of hostilities, the immediate and unconditional withdrawal of foreign forces, and the holding of free and fair elections without outside interference. The resolution was adopted February 25, by a vote of 28 (U.S.) to 8, with 5 abstentions. (Resolution 1982/13.)

At its 1st regular session of 1982 ECOSOC adopted a decision introduced by Thailand which endorsed the Commission on Human Rights resolution 1982/13, reaffirming that the primary violation of human rights in Kampuchea was the persistence of foreign occupation. The decision was adopted May 7, by a vote of 38 (U.S.) to 8, with 3 abstentions. (Decision 1982/143.)

As in the previous year, the Commission on Human Rights passed a resolution regarding self-determination in the Western Sahara. In his statement before the vote, explaining U.S. opposition to the resolution, John W. MacDonald, Jr. stated that the resolution went beyond the decisions of the OAU Implementation Committee by naming Morocco and the Polisario as the two parties in the conflict. The resolution called on Morocco and the Polisario to negotiate a cease-fire in collaboration with the parties. Mr. MacDonald indicated it would be counterproductive to the OAU's efforts, in consultation with the several interested parties, toward the accomplishment of a precise plan, accepted by all parties, for arriving at a cease-fire and agreement on a referendum for self-determination in the Western Sahara. The resolution was adopted on February 25, by a vote of 27 to 3 (U.S.), with 13 abstentions. (Resolution 1982/15.)

A resolution which expressed strong opposition to "all partial agreements and separate treaties" relating to the rights of the Palestinian people, and declaring such agreements and treaties to be of no validity, was passed by the Commission. The United States voted against this resolution because it included a clause which

rejected the continuation of negotiations and declared the Camp David accords to have no validity in terms of the plight of the Palestinian people. The resolution was adopted on February 11, by a vote of 24 to 8 (U.S.), with 10 abstentions. (Resolution 1982/3.)

The United States abstained on a resolution adopted by the Commission which reaffirmed the right of the Namibian people to independence and self-determination, condemned South Africa for the mistreatment of prisoners, and requested that the Security Council enforce mandatory economic sanctions against South Africa. This resolution was adopted on February 25 by a vote of 37 to 0, with 6 (U.S.) abstentions. (Resolution 1982/9.)

Although the United States supports the concept of self-determination for Namibia, it abstained on the resolution because of the U.S. objective in seeking a peaceful solution to the Namibian problem. Speaking on the issue of independence and self-determination for Namibia, Warren E. Hewitt, in explaining the U.S. vote following the vote, stated that the independence of Namibia at the earliest possible moment in accordance with the principles of Security Council resolution 435 (1978) was an objective shared by all members of the commission. The members of the Contact Group were convinced that only a negotiated settlement accepted by the people of Namibia, the governments of neighboring states and the United Nations could bring that goal to reality. The Contact Group welcomed the reference to a negotiated settlement in the draft resolution. Complex and delicate negotiations intended to lead to such a settlement were being pursued. In order not to compromise its role as negotiator the United States had abstained in the vote on the draft resolution. Its abstention was purely procedural and did not imply any position on the merits of the resolution.

A separate resolution adopted by the Commission concerned South Africa's occupation of Namibia, and its development of a nuclear capability in the area. It affirmed that Walvis Bay and the offshore islands constitute a part of Namibia's territory, and that the so-called "bantustanization" is incompatible with independence, national unity and sovereignty in the region. The United States was unable to support this resolution in part because it is strongly in favor of settling the Namibian issue in a peaceful manner, as opposed to using "all available means, including armed struggle," as stated in the resolution.

In the U.S. explanation of vote it pointed out that all parties to the Namibian negotiations, including the Southwest African Peoples's Organization (SWAPO), have agreed that the issue of Walvis Bay and the offshore islands were a subject to be resolved only in the future, through negotiations between an independent Namibian Government and South Africa. The United States opposed the concept of territorial separation, and the call upon states to cease economic ties

with South Africa as set forth in the resolution. Furthermore, the United States considered this resolution redundant in view of other resolutions considered by the Commission on Human Rights dealing with South Africa. It was adopted on February 25, by a vote of 32 to 8 (U.S.), with 3 abstentions. (Resolution 1982/16.)

At the 37th General Assembly, the U.S. Representative, Carl Gershman, speaking before the Third Committee on October 15, stated the U.S. view on the question of self-determination. He observed that there were five points essential to the realization of self-determination within the context of the UN Charter: (1) the essence of self-determination is method, not result; (2) self-determination is a gradual, evolutionary process; (3) self-determination is a continual process, not completed with the determination of international status; (4) the principle of self-determination is clearly universal in scope; and (5) self-determination is a relative not an absolute principle—it is one of a number of Charter principles that limit and reinforce each other. (The full text of Mr. Gershman's remarks is contained in a supplement to this report.)

The Assembly adopted two resolutions upon recommendation of the Third Committee which dealt with self-determination. The first, which was approved in Committee without a vote, addressed the universal realization of the right of peoples to self-determination in general. The United States joined in the consensus on this resolution, as it did in the previous year. In its explanation of vote, before the Third Committee on October 27, the United States expressed satisfaction that the draft resolution clearly applied to situations in Afghanistan and Kampuchea, both of which directly involve a denial of the exercise of the right to self-determination because of foreign intervention and occupation. The resolution was also adopted in plenary without a vote on December 3. (Resolution 37/42.)

The second resolution dealt with the importance of the realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights. The United States opposed this resolution because its approach was not coherent, democratic, or universal and would not bring about peaceful change in South Africa or independence for the people of Namibia. The United States also objected to its treatment of the Arab-Israeli conflict and reiterated U.S. opposition to one of the means proposed in the draft resolution for achieving self-determination—provisions of assistance to national liberation movements. It was approved in the Third Committee October 27 by a vote of 110 to 17 (U.S.), with 7 abstentions. The General Assembly adopted the resolution December 8 by a vote of 120 to 17 (U.S.), with 6 abstentions. (Resolution 37/43.)

Although five resolutions were adopted by the Commission on Human Rights on the subject of self-determination, six were consid-

ered. The Commission briefly considered a draft resolution proposed by Costa Rica and other sponsors which sought to broaden the focus of the self-determination item from colonialism and foreign occupation to cover as well the free choice of political status. The draft resolution reaffirmed that all peoples have the right to self-determination and by virtue of that right they freely determine their political status and pursue their economic, social, and cultural development. It also reaffirmed that all people have the right to freely determine their own form of government and that the subjection of peoples to alien subjugation, domination, exploitation, or foreign occupation constitutes a violation of the principle of self-determination as well as a denial of human rights, contrary to the Charter of the United Nations. Other operative paragraphs recognized the right of everyone to participate, either directly or through freely chosen representatives, in the conduct of public affairs and upheld the importance of periodic, free, and fair elections. Because numerous amendments were submitted which promised to give rise to expensive debates, the Commission decided to postpone further action on the draft resolution and the amendments. (Decision 1982/104.)

VIOLATIONS OF HUMAN RIGHTS

A recurring item on the agendas of the Commission on Human Rights deals with human rights violations in any part of the world and covers both public and private proceedings. The private proceedings are pursuant to the 1970 ECOSOC resolution 1503 (XLVIII), which authorized the Commission to take action on situations appearing to reveal a consistent pattern of gross and reliably attested violations of human rights. According to the Commission's procedures only the identities of the countries considered during the confidential procedures may be made public. During its 38th session the Commission acted on communications regarding Afghanistan, Argentina, the German Democratic Republic, Guatemala, Haiti, the Republic of Korea, Paraguay, Uruguay, and Venezuela.

Uppermost on the minds of many Commission members was the human rights situation in Poland. On March 10 the Commission adopted a resolution which expressed its deep concern over the widespread violations of human rights and fundamental freedoms in Poland. The Commission adopted the resolution by a vote of 19 (U.S.) to 13, with 10 abstentions (China not participating). (Resolution 1982/26.) The resolution affirmed the rights of the Polish people to pursue their political and economic development, free from outside interference. It called for the end of measures restricting human rights and fundamental freedoms, release of prisoners detained without charge, and a review of sentences proposed under martial

law. It also requested the Secretary General to undertake a thorough study of the human rights situation in Poland and present a comprehensive report to the next session of the Commission.

This action by the UN Commission on Human Rights was an historic event. It was the first time in 38 years that the Commission on Human Rights had spoken out on human rights violations in an Eastern European country. It demonstrated that Poland was not an East/West issue, but a matter of worldwide concern. The resolution received widespread support.

This action by the Commission on Human Rights was a victory for human rights and for the Polish people. It represented an important expression of deep international concern through a UN body for the plight of the Polish people, who are struggling against the deprivation of their human rights and fundamental freedoms.

On March 8 in his affirmation before the Commission of the U.S. commitment to human rights, Mr. Schifter, referring to Poland, asked for support of a genuine people's organization numbering 10 million, which asked "for the right to help shape their own destiny."

Mr. Schifter further underscored the Reagan Administration's theme on human rights issues—the need to pursue a sense of fairness, evenhandedness, and proportionality in approaching human rights violations wherever they occur throughout the world. As an example of the Administration's position, he criticized the Commission's emphasis on only certain Western Hemisphere countries. He argued that true impartiality would lead the Commission to undertake consideration of Cuba, whose Government is Latin America's "only totalitarian tyranny, a repressive state where all individual rights are closely controlled by the Communist Party, where there exists no free press and freedom of speech, and where dissent and opposition are not permitted."

The Commission undertook to consider a broad range of issues under the question of violations of human rights anywhere in the world. These included the modern phenomenon of mass exoduses of millions of people; the growing problem of summary or arbitrary executions; the practice of religious discrimination; as well as the specific questions of human rights violations in Guatemala, Bolivia, and El Salvador.

Concerning the matter of mass exoduses, the Commission adopted on March 11, without a vote, a resolution commending the Special Rapporteur, Sadruddin Aga Khan, for his study on human rights and mass exoduses; calling upon the Secretary General to bring the study to the attention of the Group of Governmental Experts on International Cooperation to Avert New Flows of Refugees; and inviting comments on his report for review at the 39th session of the Commission. (Resolution 1982/32.)

During the General Assembly session the Third Committee approved by consensus a Canadian resolution reiterating the resolution

passed by the Commission on Human Rights, and deciding to review the question of human rights and mass exoduses at its 38th session. However, in his remarks to the Third Committee on December 3, the U.S. Representative, John D. Lodge, underscored the U.S. commitment to avoid encouraging "further institutional arrangements, involving more financial or human resources." He added his support of Sadruddin Aga Khan's belief that "the UN system has adequate means to address the issues within ongoing programs and activities." He added that the United States was prepared to support the appointment of a Special Representative for Humanitarian Questions if that is the decision of the General Assembly, with the understanding that the office of a Special Representative would be concerned primarily with improving UN machinery for dealing with human rights and mass exodus issues, and added the essential condition that any costs associated with the work of the Special Representative be absorbed according to a policy of zero net growth in the organization's program budget. The draft resolution was approved in Committee without a vote on December 10 and, adopted in plenary, also without a vote, on December 17. (Resolution 37/186.)

The Commission on Human Rights addressed with great concern the question of human rights violations in El Salvador. The issue had been receiving increasing attention as a result of the intensified military struggle between El Salvador's Government and the guerrilla opposition. The United States rested a great deal of hope for renewed democracy in El Salvador on elections which were scheduled for March 28, 1982.

The Commission considered a single draft resolution sponsored by Algeria, Denmark, Greece, France, Ireland, Mexico, Netherlands, and Yugoslavia, which expressed deep concern over the climate of repression in El Salvador and the continued violations of human rights in that country. It called upon El Salvador's Government to negotiate a comprehensive political solution through full participation of all representative political forces in El Salvador, "in order to establish, in an atmosphere free from intimidation and terror, the appropriate conditions for the establishment of a democratically elected government." The draft resolution also urged the Government to take the necessary steps to ensure full respect for human rights and fundamental freedoms and extended the mandate of the Special Rapporteur for another year, requesting him to report to the General assembly at its 37th session and to the Commission on Human Rights at its 39th session.

The Commission approved the resolution on March 11, by a vote of 25 to 5 (U.S.), with 13 abstentions. In his explanation of vote, the U.S. Representative, Mr. Novak, indicated that although the human rights situation in El Salvador deserves attention by the Commission, and although the United States was deeply disturbed by human

rights abuses both by the right and the left, the resolution as drafted emphasized negotiations rather than elections and ignored the role of the broad center as distinct from the right and the left. He called upon the international community to lend its support to the democratic center in El Salvador. (Resolution 1982/28.)

The United States took the position that it could not support a resolution whose essential thrust is to undermine the electoral process which is central to any hope for a peaceful conclusion to strife in that country. Furthermore, the resolution ignored efforts by El Salvador's Government to improve the conditions of its people through land reform and free elections. The United States contended that it is illogical to condemn elections in El Salvador because the Government has not attained the stability which can come only after elections have taken place. By according most of the blame for human rights abuses to the Government and by undercutting sincere efforts to bring an end to bloodshed through elections, it was felt the resolution gave comfort to those armed groups intent on taking power and ruling by force.

During the General Assembly session, the Third Committee considered a resolution sponsored by France, Greece, Mexico, Sweden, and Yugoslavia which expressed deep concern over violations of human rights and fundamental freedoms in El Salvador, deemphasized the importance of the march 28 elections, omitted mention of the extensive land reform program, and called for direct negotiations between the Government and political front organizations of the guerrillas.

In a speech before the Third Committee on December 10, the U.S. Representative, Mr. Gershman, told the Committee that the United States would welcome and vote for a human rights resolution which recognized progress to date in El Salvador and encouraged further evolution in its human rights situation. The draft resolution under consideration, however, ignored the success of the March 28 election in which 80% of the eligible voters participated, ignored the 700 independent observers who explicitly confirmed that the elections were free and without Government pressure or intimidation, and ignored the fact that the Government had set March 1984 as the date for Presidential and municipal elections. According to Mr. Gershman, "The change of attitude from official indifference to concern merits equal recognition in the 1982 resolution." The Third Committee approved the draft resolution on December 10 by a vote of 67 to 19 (U.S.), with 49 abstentions, a vote little changed from the previous year. The resolution was adopted in plenary on December 17 by a vote of 71 to 18 (U.S.), with 55 abstentions, also comparable to the 1981 voting margin. (Resolution 37/185.)

The question of appointing a Special Rapporteur arose also in connection with the discussion of human rights violations in Guate-

mala. The Commission considered a resolution which expressed profound concern at the continuing deterioration in human rights and fundamental freedoms in Guatemala, requested the Chairman to appoint a Special Rapporteur to make a thorough study of the human rights situation in Guatemala, with which the Guatemalan Government was asked to cooperate. The resolution, which also requested the Commission to consider the situation in Guatemala at its 39th session, was approved by the Commission on Human Rights on March 11, by a vote of 29 to 2, with 12 (U.S.) abstentions. (Resolution 1982/31.)

In his explanation of vote, Mr. Novak indicated that the United States based its abstention on reluctance to encourage the pattern of special focus on certain Latin American governments to the exclusion of other countries of the same region and in other parts of the world whose record in human rights matters clearly warranted the attention of the Commission. Nevertheless, Mr. Novak agreed with the general sense that there were very serious human rights problems in Guatemala, where violence and the threat of retribution have inhibited free expression. Furthermore, the United States concurred with the view that the Guatemalan Government must address its human rights problems and cooperate with the Secretary General's efforts to gain reliable information regarding the human rights situation in that country.

The Third Committee of the General Assembly considered a Swedish draft resolution urging the Guatemalan Government to ensure that human rights and fundamental freedoms were fully respected by all authorities and agencies, including security forces; appealed to the Government to allow international humanitarian organizations to assist displaced persons; called upon the Government to cooperate with the Special Rapporteur; and called upon the Commission on Human Rights to study the Special Rapporteur's report with a view toward establishing steps for ensuring internationally recognized human rights. The Third Committee approved the draft resolution on December 6 by a vote of 74 to 16 (U.S.), with 45 abstentions.

In explanation of the U.S. vote, Mr. Gershman, speaking in the Third Committee, complained that the resolution being considered was based on an outdated assessment presented in the Commission on Human Rights in March 1982. Since then, on March 23, the Government of Lucas Garcia had been overthrown and replaced by that of Rios Montt. The new Government, according to Mr. Gershman, had reduced political violence, developed plans for an amnesty program, and had supported plans committed to rural development. Mr. Gershman added that "a fair and balanced resolution must recognize the responsibility of guerrilla forces for the violence and the commitment of the Government of Guatemala to improve the

situation." The resolution was adopted in plenary on December 17 by a vote of 79 to 16 (U.S.), with 49 abstentions. (Resolution 37/184.)

The Commission on Human Rights once again considered the situation in Bolivia which, since the overthrow of the former Government in July 1980 had generated increasing attention from the Commission as the new Government attempted to deal with its political enemies. The United States joined in the March 11 consensus on the draft resolution which expressed concern over human rights violations in Bolivia, although noting improvement and expressing hope for continued progress. The draft resolution urged the Government to take further practical measures to implement its stated resolve to ensure full respect for human rights and fundamental freedoms, and requested continued cooperation with the Commission through its Special Envoy, whose report was to be presented to its 39th session. (Resolution 1982/33.)

The Commission also adopted resolutions dealing with equatorial Guinea, summary and arbitrary executions, religious persecution in Iran (particularly of the Baha'is), and the rights and responsibilities of individuals and organs of society to promote and protect human rights.

In response to a request from Equitorial Guinea's Government for assistance in restoring human rights in that country, the Secretary General had appointed Professor Fernando Volio Jimenez (Costa Rica) as Expert to draw up a plan of action, which had been accepted by the Commission at its 37th session. The Commission on March 11 approved without a vote a resolution recommending that ECOSOC request the Secretary General discuss with the Government the role of the United Nations in implementing the plan of action, inviting the Government to cooperate, and requesting the Commission to review the situation at its 39th session. (Resolution 1982/34.)

On the matter of arbitrary or summary executions, the United States supported a Danish draft resolution recommending a draft resolution for adoption by ECOSOC dealing with the occurrence of summary or arbitrary executions, including extra-legal executions, that the resolution indicated were widely regarded as being politically motivated. The draft resolution would appoint for 1 year a Special Rapporteur to examine the phenomenon of summary or arbitrary executions and request the Chairman of the Commission to appoint an individual of recognized international standing as Special Rapporteur to submit a comprehensive report to the Commission's 39th session. The Commission approved the resolution by a vote of 33 (U.S.) to 1, with 8 abstentions. (Resolution 1982/29.)(See also p.178.)

Expressing deep concern at the continuing reports about grave violations of human rights and fundamental freedoms in Iran, such as summary or arbitrary executions, the Commission considered a draft resolution sponsored by nine states. The draft resolution urged

the Government of Iran to respect all individuals within its territory, without distinction of any kind, and requested the Secretary General to report on the situation in Iran at its 39th session. The Commission approved the resolution on March 11 by a vote of 19 (U.S.) to 9, with 15 abstentions. (Resolution 1982/27.)

Finally, the Commission considered a Canadian draft resolution on the rights and responsibilities of individuals and organs of society to promote and protect human rights. The draft resolution, which was adopted March 11 without a vote, requested the Secretary General to present to the Commission's Subcommission on Prevention of Discrimination and Protection of Minorities at its 35th session a draft body of principles on these rights and responsibilities, and called upon the Commission at its 40th session to undertake work on a draft declaration based on the report of the Subcommission. (Resolution 1982/30.)

Racial Discrimination in Southern Africa

The Commission on Human Rights considered issues dealing with racial discrimination, emphasizing apartheid in southern Africa. There were four resolutions before the Commission relating to racial discrimination including resolutions on the Report of the Working Group of Experts (which has been investigating the human rights situation in southern Africa since 1967), the implementation of the International Convention on the Suppression and Punishment of the Crime of Apartheid, the question of "adverse consequences" for the enjoyment of human rights of various forms of assistance extended to regimes in southern Africa, and the implementation of the Program for the Decade for Action to Combat Racism and Racial Discrimination. Discussions resulted in the adoption of resolutions which were primarily sponsored by the African and Asian members of the Commission.

The United States was unable to support any of these resolutions, but declared its position as an adversary to the system of apartheid. In a statement on this issue February 16, Mr. Hewitt emphasized U.S. "abhorrence of apartheid" in South Africa. He stressed that U.S. policy encourages "working for peaceful, evolutionary change . . .," by following a more "constructive approach" than that served by fostering increased misery through economic sanctions. He further remarked that the United States advocates "dialogue, and not confrontational rhetoric" as a means for bringing about peaceful change in South Africa.

Since 1967 the Commission's *Ad Hoc* Working Group of Experts had been monitoring the human rights situation in southern Africa. At its 38th session the Commission considered the report of the Working Group and adopted on February 25 a resolution by a vote of

42 to 0, with 1 (U.S.) abstention. This resolution condemned the so-called "granting of independence" to the homeland or "bantustan" of Ciskei and declared that such acts constitute a serious denial of the right of peoples to self-determination. It condemned South Africa for placing impediments in the way of negotiations for the independence of Namibia, supported the efforts of the *Ad Hoc* Working Group of Experts, requested that the Working Group continue to study the policies and practices which violate human rights in South Africa and Namibia, and requested that the Working Group submit its findings and recommendations to the Commission at its 39th session. (Resolution 1982/8.)

The Commission also adopted on February 25 a resolution dealing with the International Convention on the Suppression and Punishment of the Crime of Apartheid by a vote of 32 to 0, with 11 (U.S.) abstentions. This resolution called upon states which had not yet done so to ratify or accede to the Convention without delay, strengthen their cooperation at the national and international levels, and implement decisions of the Security Council and "other competent UN bodies, with a view to the prevention, suppression, and punishment of the crime of apartheid." (Resolution 1982/10.)

The U.S. abstention was in line with its standing position, which has opposed that Convention since it was approved by the General Assembly in 1973.

A resolution on the question of "adverse consequences" for the enjoyment of human rights of political, military, economic, and other forms of assistance given to colonial and racist regimes in southern Africa was adopted by the Commission on February 25 by a vote of 32 to 4 (U.S.), with 7 abstentions. The United States voted against this resolution because the resolution concluded that all governments and individuals extending any form of assistance to South Africa were, in effect, denying human rights in that country. The resolution expressed its appreciation and support for a report prepared by a Special Rapporteur, Mr. Ahmed Khalifa (Egypt), containing a list of banks, transnational corporations, and other organizations giving assistance to regimes in southern Africa. It expressly called on the governments in which such business entities were based to take immediate action to put a stop to their activities. It supported economic sanctions against South Africa and requested that the group of three members of the Commission which had been set up under the International Convention on the Suppression and Punishment of the Crime of Apartheid examine whether the actions of transnational corporations operating in South Africa came under the definition of the crime of apartheid, and whether or not some legal action could be taken under the Convention. It also requested that a report on the findings be submitted to the Commission. (Resolution 1982/12.)

The United States opposed this resolution because of its stated policy against economic sanctions, and because of its objection to an unbalanced report which cites U.S. companies doing business with South Africa while disregarding extensive Soviet bloc ties with South Africa.

The United States opposes sanctions which go beyond the existing Security Council mandated military embargo, which it fully implements. As to private investment, the United States maintains that its firms which are active in South Africa can play an important role in improving the economic well being of South Africa's black worker population through the application of enlightened employment practices. Such operations conform with the U.S. position that continuance of U.S. private sector involvement in the South African economy can have a strongly beneficial impact.

The first regular session of 1982 of ECOSOC, on May 7 approved the extension of the mandate of the Special Rapporteur to continue to update the list of banks, transnational corporations, and other organizations giving assistance to regimes in southern Africa. The decision was adopted by a vote of 29 to 5 (U.S.), with 9 abstentions. (Decision 1982/128.)

During the 1st regular session of ECOSOC in 1982 a resolution was adopted with respect to the report of the *Ad Hoc* Working Group of experts on allegations of infringements of trade union rights in South Africa. This resolution called for the recognition of trade union rights for South African workers, asked the Working Group to continue to study the situation (reporting to the Commission on Human Rights and ECOSOC, as appropriate), and requested the Working Group to consult with the International Labor Organization, the Special Committee Against Apartheid, and international and African trade union confederations. The resolution was adopted without a vote on May 7. (Resolution 1982/40.)

Mr. Gershman, speaking in explanation of vote, said that although the resolution did not fully reflect the views of the United States (in that it did not recognize the trade union gains made by blacks in South Africa), the United States was glad that it was still possible for it to join in the consensus. Mr. Gershman noted that under current South African labor laws any person, regardless of race, may join or form a labor union.

Mr. Gershman further noted that trade unionists are among those persons detained in South Africa, that the United States is opposed to arbitrary arrest and detention without trial of any person, and hopes that such persons will soon be charged or released from detention. He stated that "recognition of the right of workers to organize and to bargain collectively is an essential means toward democratic reform," and closed his remarks stating that the development of strong unions of black workers is the best hope for reform in

South Africa and that freedom of association is the best guarantee of all other human rights.

A resolution concerning the Implementation of the Program for the Decade for Action to Combat Racism and Racial Discrimination was adopted by the Commission on February 25 by a vote of 34 to 0, with 8 abstentions. Since 1975, the United States has not participated in the Program, because in that year the General Assembly adopted resolution 3379 (XXX) which equated Zionism with racism. Since the United States does not agree with this equation, the U.S. Delegation did not participate in the vote. (Resolution 1982/11.)

The Program for the Decade also appeared as an agenda item of the 1st regular session of the 1982 ECOSOC. ECOSOC adopted, on May 5 by a vote of 31 to 11 (U.S.), with 4 abstentions, a resolution which recommended to the General Assembly the adoption of a resolution that vigorously condemned "collaboration of certain Western countries . . . .with the racist regime of South Africa," requested that the Security Council impose "full mandatory sanctions against South Africa," supported armed struggle in combating apartheid and racial discrimination, called upon all governments to take measures against entities under their jurisdiction who do business in South Africa to put an end to their activities, and decided to consider at the 38th General Assembly an item entitled "Implementation of the Program for the Decade to Combat Racism and Racial Discrimination." (Resolution 1982/31.)

A related matter concerned the Second World Conference to Combat Racism and Racial Discrimination. While reviewing and assessing the activities of the Decade, the main purpose of the Conference was determined to be the formulation of measures for the implementation of UN resolutions to combat racism and racial discrimination. ECOSOC adopted on May 5 a resolution on the Second World Conference by a vote of 38 to 1 (U.S.), with 12 abstentions. The resolution recommended that the General Assembly set the Philippines as the site for the Conference and agree to defray half of the additional cost of holding the Conference there. (Resolution 1982/32.)

The United States departed from its policy of non-participation in debates or votes relating to the Decade, a policy initiated in reaction to the Assembly's adoption in 1975 of the resolution equating Zionism with racism, by voting against these resolutions. The negative vote was intended to demonstrate its opposition to the financial implications of the resolutions.

In voting against resolution 1982/32, the United States emphasized the importance of General Assembly resolution 2609 (XXIV) which requires that any government which hosts a UN meeting away from UN Headquarters must independently pay all additional costs incurred by the session. In view of increasing demands placed

on available UN funds, the United States opposed deviations from the rule set by resolution 2609 (XXIV).

The question of providing additional funds to the Philippines, to help defray costs of the Conference, was raised again in the 37th General Assembly. On the strength of a decision of the Fifth Committee, the Assembly decided to delete from the draft resolution it was considering the authorization of additional funds to cover the cost of holding the Conference in the Philippines. The Assembly made its decision based on Assembly resolution 2609 (XXIV) which provided no exception to its rule concerning sessions held at a location away from the UN Headquarters.

The draft resolution on Implementation of the Program for the Decade for Action to Combat Racism and Racial Discrimination before the General Assembly was approved in the Third Committee on October 27 by a vote of 113 to 19 (U.S.), with 5 abstentions, and in plenary on December 3 by a vote of 122 to 19 (U.S.), with 5 abstentions. (Resolution 37/40.) The United States voted against this resolution because of its financial implications, as it did in ECOSOC.

A resolution on the Second World Conference to Combat Racism and Racial Discrimination was approved in the Third Committee on November 2 by a vote of 124 to 2 (U.S.), with 0 abstentions, and without a vote in plenary on December 3. (Resolution 37/41.) The United States returned to its practice of not participating in the votes related to the Decade since the operative paragraph on objectional financial implications had been deleted.

The subject of "adverse consequences" of assistance given to regimes in South Africa was considered at the 37th General Assembly. A resolution was adopted by a vote of 121 to 10 (U.S.), with 14 abstentions, having first been approved in the Third Committee by a vote of 113 to 10 (U.S.), with 15 abstentions. (Resolution 37/39.)

Since 1979 the United States had opposed the passage by the Commission on Human Rights of a resolution equating assistance to South Africa with "collaboration" in undermining human rights in the country. Since resolution 37/39 called for ending all types of assistance in South Africa, and called on governments of countries where certain banks, transnational, and other corporations were based to put a stop to their activities. The United States voted against it, as it has done consistently, in opposition to provisions supporting sanctions against South Africa and citing U.S. companies doing business with South Africa.

Three additional resolutions were adopted at the 37th General Assembly relating to the issue of racism and racial discrimination. A resolution concerning general recommendation VI of the Report of the Committee on the Elimination of Racial Discrimination, concerning the obligation of states parties to the International Convention on Elimination of Racial Discrimination to submit periodic reports,

was adopted without a vote in the Assembly and Third Committee. (Resolution 37/44.) A related resolution concerning the status of the Convention was adopted without a vote both in the Third Committee and in plenary. (Resolution 37/45.)

The United States joined in consensus adoption of resolution 37/45 which dealt with the ratification of the International Convention on the Elimination of All Forms of Racial Discrimination and of resolution 37/44 concerning the reporting obligations under the Convention. Mr. Gershman explained that the United States joined in the consensus on resolution 37/45 (notwithstanding the reference in operative paragraph three to the Decade for Action) since the reference addressed the objectives set forth in 1973 by the General Assembly in resolution 3057 (XXVIII). This resolution, adopted 2 years before resolution 3379 (XXX) which called Zionism a form of racism, continues to receive the support of the United States. The United States voted against another draft resolution introduced by Yugoslavia on the Report of the Committee on the Elimination of Racial Discrimination. That draft resolution strongly condemned the policy of apartheid in South Africa and Namibia, urged all members to adopt effective measures to secure the elimination of apartheid, called for economic sanctions against South Africa, and requested that the Committee continue its work. The United States supported the resolution's strong condemnation of apartheid, but opposed language that called for the enforcement of mandatory ecomonic and political sanctions against South Africa. Mr. Gershman, speaking for the United States in the Third Committee on October 27, stated that "the decision to impose sanctions lies within the exclusive competence of the Security Council." In further clarifying U.S. opposition to the several resolutions dealing with the apartheid policies of South Africa, Mr. Gershman explained that the United States favored a policy of positive support for the process of reform that is underway in South Africa.

The resolution was adopted by a vote of 123 to 2 (U.S.), with 13 abstentions in the Third Committee on October 27 and by a vote of 131 to 2 (U.S.), with 15 abstentions in plenary on December 3. (Resolution 37/46.)

A resolution dealing with the status of the International Convention on the Suppression and Punishment of the Crime of Apartheid was adopted in the Third Committee on October 27 by a vote of 112 to 1 (U.S.), with 22 abstentions and in plenary by a vote of 124 to 1 (U.S.), with 22 abstentions on December 3. (Resolution 37/47.)

Human Rights in the Occupied Territories of the Middle East

The issue of human rights in the Middle East has been considered in the Commission on Human Rights each year since 1968. At the

38th session of the Commission on Human Rights, the Commission adopted (as in previous years) a two-part resolution on the question of the violation of human rights in the occupied territories, including Palestine. The resolution was sponsored primarily by the Arab members of the Commission.

Part A of the resolution strongly condemned Israeli policies, practices, and administrative and legislative measures in the occupied territories; requested the Secretary General to give the widest possible publicity to the resolution; and called for a seminar on "Violations of human rights in the Palestinian and other Arab territories occupied by Israel." This seminar was to be held at the UN Office in Geneva. Part A requested the Secretary General to make the appropriate arrangements for the organization of this seminar, and to report to the Commission at its 39th session. Part A of the resolution was adopted on February 11 by a vote of 32 to 3 (U.S.), with 7 abstentions.

Part B of the resolution primarily condemned Israel for refusing to apply the Geneva Convention Relative to the Protection of Civilian Persons in Time of War to the occupied territories. Part B of the resolution was adopted on February 11 by a vote of 41 to 1 (U.S.), with 0 abstentions.

In explanation of the U.S. negative vote on February 12, the U.S. Representative, Harvey Feldman, indicated that the United States sought "moderation, reason, accommodation, negotiation, and peace" concerning the Middle East. Ambassador Feldman indicated that although the United States did not approve of the recent Israeli action with respect to the Golan Heights, it believed that the boundaries between Israel and its neighbors must be established upon "safe and recognized lines, by mutual negotiation, and in no other way."

Although the United States continued to maintain that the Geneva Convention Relative to the Protection of Civilian Persons in Time of War was legally applicable to the occupied territories, it voted against Part B of the resolution chiefly because, while condemning Israeli's failure to acknowledge the applicability of the Convention to the occupied territories, it failed to acknowledge Security Council resolution 242 (1967). Ambassador Feldman pointed out that the failure to mention resolution 242 (which the United States considered an essential basis for peace in the Middle East) constituted a "serious fault" of Part B of the resolution, making it unacceptable to the United States. Ambassador Feldman also reiterated U.S. reservations concerning its use of the phrase "Palestinian and other Arab territories occupied since 1967, including Jerusalem" to describe that area occupied by Israel after the 1967 war. The resolution was adopted as a whole on February 11 by a vote of 32 to 1 (U.S.), with 9 abstentions. (Resolution 1982/1.)

The Commission on Human Rights also adopted a resolution, again principally sponsored by the Arab members of the Commission, on the question of the violation of human rights in the occupied Arab territories, including Palestine. This resolution condemned Israel for annexing the Syrian Golan Heights territory; declared Israeli policies and practices in the occupied territories as null and void; and called upon states to apply measures against Israel to stop it from imposing its laws, jurisdiction, and administration upon the occupied territories. In his speech on February 12, Ambassador Feldman indicated that the United States voted against this resolution because it considered that the issue of Israeli action concerning the Golan Heights had been properly dealt with in the Security Council, adding that "the Council's action represents the consensus of the international community." The resolution was adopted on February 11 by a vote of 22 to 11 (U.S.), with 7 abstentions. (Resolution 1982/2.)

At the 37th General Assembly session, the situation in the Middle East was again debated in the Special Political Committee, which is discussed in Part 1 of this report (see p. 33).

Human Rights in Chile

The question of continuing the mandate of the Special Rapporteur on the Human Rights Situation in Chile remained central to the debates on Chile during the 38th session of the Commission on Human Rights and the 37th session of the General Assembly. It served to underscore the U.S. contention that international criteria for dealing with Chile reflected a double standard toward Latin America rarely found elsewhere. The Commission adopted by a vote of 28 to 6 (U.S.), with 8 abstentions, a resolution sponsored by Algeria, Cuba, Denmark, France, Greece, Mexico, Netherlands, and Yugoslavia that was critical of the Chilean Government on several grounds, including its refusal to cooperate with the Special Rapporteur and complaints against it of severe human rights violations. The resolution, like that of the previous year, urged the Chilean Government to take specific steps to deal with problems relating to civil and political liberties in that country. (Resolution 1982/25.) The Commission rejected by a vote of 13 (U.S.) to 22, with 7 abstentions, a Uruguayan amendment to move consideration of the human rights situation in Chile from the status of a separate agenda item to the more general item on consideration of human rights violations in any part of the world.

The United States regretted that the record for 1981 failed to show any substantial improvement of the human rights situation in Chile over that for 1980. There continued to be reports of abuses, in some cases serious. The United States condemned them in Chile, as it did in many other places in the world where they occurred. Neverthe-

less, the United States opposed adoption of this resolution because it was an example of the double standard by which various regimes in the Communist and non-Communist worlds were judged. With very few other nations, Chile was singled out for special treatment. The United States did not believe that the circumstances in Chile, when compared with the situation existing prior to 1977 or by comparison with many other countries in the world, justified continuation of such special treatment.

The question of the human rights situation in Chile was raised again at the 37th General Assembly in a Mexican draft resolution sponsored by Algeria, Cuba, Mexico, and Yugoslavia. The draft essentially reiterated the concerns expressed in the Commission on Human Rights and urged that Chile cooperate with the Commission and its Special Rapporteur. The United Kingdom succeeded, however, in gaining passage on December 10 by a vote of 46 (U.S.) to 42, with 42 abstentions, of an amendment deleting endorsement of an extended mandate for the Special Rapporteur. The amended Mexican resolution was adopted on December 10 by a vote of 74 to 16 (U.S.), with 40 abstentions. As passed, the modified resolution simply requested the Commission "to study in depth the report of the Special Rapporteur at its 39th session with a view to taking the most appropriate steps, and report on its consideration through ECOSOC to the General Assembly at its 38th session."

The Mexicans succeeded in plenary, however, in overturning that amendment. On December 17, by a vote of 62 to 35 (U.S.), with 44 abstentions, the Mexican delegation gained passage of an amendment supporting extending the mandate of the Special Rapporteur. The amended resolution as a whole was adopted December 17 by a vote of 85 to 17 (U.S.), with 41 abstentions, virtually identical to the vote in plenary on a similar resolution in 1981. (Resolution 37/183.)

In his explanation of vote, before the Third Committee on December 10, the U.S. Representative, Mr. Gershman, pointed to improvements in the human rights situation in Chile since 1977, arguing that the resolution as passed in plenary did not recognize these signs of progress. He pointed to a double standard, proposing "for Chile standards and terms which most nations do not meet" and which "constitutes another example of application to the non-Communist nations of Latin America of standards not observed elsewhere."

Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

UN activity on this subject in 1982 centered on the negotiations concerning two draft instruments: the Torture Convention and the Principles of Medical Ethics. At its 38th session, the Commission on Human Rights considered two resolutions concerning torture.

One sponsored by Cuba, Denmark, France, Greece, India, Netherlands, Norway, Senegal, and Sweden addressed the question of the human rights of all persons subjected to any form of detention or imprisonment, in particular: torture and other cruel, inhuman, or degrading treatment or punishment. In its preambular clauses, the resolution referred to General Assembly resolution 36/60 which requested the Commission to complete, as a matter of high priority, the drafting of a convention against torture, and to ECOSOC resolution 1981/37 which authorized a meeting of an open-ended working group of the Commission for the week prior to the Commission's 38th session to complete the work on a draft convention against torture.

The most difficult issue facing the Working Group was the resistance of some nations to some type of broad jurisdiction as already embodied in international conventions against aircraft hijacking, attacks on diplomats, and hostage taking. Within the context of the convention, such jurisdiction allows a state to establish jurisdiction over and prosecute an alleged offender within its territory if it chooses not to extradite the person to the country in which the crime was committed. The U.S. Representative, Mr. Novak, indicated that some nations still oppose this concept. They argue that each state alone should combat acts of governmental torture committed in its territory. However, Mr. Novak pointed out, there were times when a state failed to act against its own officials. It was to defend against such instances that this jurisdiction was designed.

Operative paragraphs of the Commission's draft resolution emphasized the importance of the Working Group's efforts in drafting the convention, and recommended considering the convention in a Working Group before its next session. The Commission on Human Rights recommended that ECOSOC authorize the Working Group to meet one week prior to the Commission's 39th session to complete its work and provide the Commission the opportunity to review the completed draft convention at its 39th session. The resolution was adopted by consensus on March 11. (Resolution 1982/44.)

ECOSOC agreed by consensus during its 1st regular session of 1982 to authorize the additional meeting of the Working Group as requested by the Commission on Human Rights. (Resolution 1982/38.)

The question of torture, and other cruel, inhuman, or degrading treatment was raised again during the 37th General Assembly in the form of a Swedish resolution dealing with the mandate of the Working Group. The text of this resolution was nearly identical to that of General Assembly resolution 36/60 calling for completion of the draft convention, except for its preambular paragraph pointing

to the failure of the 1982 session of the Commission to complete its work on the draft convention. It essentially renewed the mandate of the Working Group for another year. The Third Committee approved this resolution by consensus on December 7. It was adopted without a vote in plenary on December 13. (Resolution 37/193.)

In its explanation of vote on December 7, the United States supported the expeditious completion of the convention and urged all governments to participate constructively in the negotiations so that the convention might be completed without further delay. The United States attributed the delay to a few governments which had obstructed progress on the draft convention. The United States expressed hope that they would refrain from such unjustifiable behavior in the future. Although it supported this resolution, the United States indicated in explanatory remarks that the U.S. vote was predicated upon the understanding that the means of financing the cost of the conference services required would be submitted by the Secretary General in his consolidated statement of total conference servicing costs.

PRINCIPLES OF MEDICAL ETHICS

A related measure considered by the General Assembly concerned principles of medical ethics, which were put in final form by a working group of the Third Committee chaired by the representative of the Netherlands. The United States played a lead role in the effort to formulate the principles.

A resolution entitled "Principles of Medical Ethics" was introduced by the Netherlands, and sponsored by the United States and 12 other countries. These Principles emphasized the duty of health personnel (particularly physicians) to protect the physical and mental health of prisoners and detainees especially against torture and other cruel, inhuman, or degrading treatment or punishment. The Principles also impose a duty upon medical personnel to provide equal medical care to prisoners and detainees as that provided to other patients. The Principles make clear that health personnel who participate in torture, or who use their knowledge and skills to assist in interrogations and thereby adversely affect a person's physical or mental health, are in contravention of medical ethics. Operative paragraphs of the resolution endorsed the Principles of Medical Ethics, and called upon all governments and non-governmental organizations to give the widest possible distribution to these Principles—especially among medical associations and institutions of detention or imprisonment. The resolution was approved by consensus in the Third Committee on December 9 and in plenary on December 18. (Resolution 37/194.)

Finally, the Commission on Human Rights considered a resolution sponsored by the Nordic countries concerning the UN Voluntary

Fund for Victims of Torture. The resolution noted with deep concern that acts of torture occurred in various countries and recognized the need to provide humanitarian assistance to victims of torture. The resolution called upon all governments to contribute to the Fund, and requested the Secretary General to inform all governments of the Commission's appeal for contributions. The resolution was adopted without a vote on March 11. (Resolution 1982/43.)

Rights of the Child

In both the Commission on Human Rights and the General Assembly, a separate agenda item was devoted to the question of a Convention on the Rights of the Child. Poland submitted a draft text for such a convention to the Commission in 1978, and a working group of the Commission has been considering the draft since 1979. In the U.S. view, the Polish draft takes a highly selective approach to human rights and is noteworthy primarily for its omissions, including family reunification, access to religious education, and freedom of expression. A 1-week meeting of the working group prior to the 1982 session of the Commission on Human Rights was approved by the 1981 session of the General Assembly, which also requested the Commission to give highest priority to completing the draft convention.

After extensive revisions and amendments, many of which were proposed by the U.S. negotiator, the working group, chaired by the Polish delegate, Mr. Adam Lopatka, adopted all or part of five different articles dealing with (1) separation of a child from his parents against their will, (2) deprivation of a child from his family environment, (3) domestic and intercountry adoption, (4) refugee children, and (5) mentally or physically disabled children. The United States joined on March 11 in the consensus adoption of a draft resolution which requested ECOSOC to authorize a 1-week working group meeting prior to the 1983 Commission on Human Rights session with a view toward completing elaboration of the convention during the 39th session. (Resolution 1982/39.) ECOSOC adopted the resolution on May 7 at its 1st regular session of 1982. (Resolution 1982/37.)

The 37th session of the General Assembly, in Third Committee and in plenary, approved by consensus a resolution welcoming the ECOSOC resolution authorizing the next meeting of the working group. It also requested the Commission to give highest priority at its 39th session to completing the draft convention, and decided to include the item in its own provisional agenda for the 38th session. (Resolution 37/190.)

In his explanation of vote in the Third Committee on December 7, the U.S. Representative, Thomas A. Johnson, stated that the subject

of children's rights is important to everyone, but the Polish draft convention was not a worthwhile potential contribution to the existing body of international human rights law. He added that the United States has participated actively and constructively in the working group of the Commission on Human Rights considering the draft convention in an effort to improve the text and is willing to continue its participation because it has been possible to gain adoption of provisions which are a tremendous improvement over the original Polish draft and are quite meritorious. He also noted the understanding of the United States that the conference servicing costs for the working group would be absorbed within the existing UN budget.

Science and Technology

In recent years much evidence has been gathered regarding potential and actual misuses of psychiatry and psychiatric abuses. According to reports since the early 1970's, for example, the Soviet Union has been manipulating psychiatry as a means of suppressing dissent through the involuntary detention of persons on the grounds of mental ill health. At its 1981 session, the General Assembly called upon the Commission on Human Rights to submit to the 38th session of the General Assembly draft guidelines and principles dealing with the elimination of psychiatric abuse.

At its 38th session, the Commission on Human Rights considered a United Kingdom draft resolution on the question of psychiatric abuse which was significant in that it identified the detention of persons in mental institutions on account of their political views or on non-medical grounds as a violation of their human rights. The draft resolution noted with deep satisfaction the work of the Subcommission on the Prevention of Discrimination and Protection of Minorities in preparing draft guidelines and principles and requested the Subcommission to consider the final report by the Rapporteur, Mrs. Erica-Irene Daes (Greece), with a view toward submitting its views and recommendations to the 39th session of the Commission. The Commission adopted the resolution without a vote on February 19. (Resolution 1982/6.)

The U.S. Representative, Mr. Novak, eloquently described the plight of those subjected to psychiatric abuse: "deprived of liberty although they have committed no crime, placed among people who are mentally disturbed rather than in separate wards, mistreated by guards, and victimized by drugs and scientific techniques as a form of punishment."

In explanation of the U.S. vote, Mr. Richard Schifter, on February 22 stated that the United States wanted to express "concern over all violations of human rights in the context of the operation of mental

hospitals, ...but we must again stress a very unique violation which, according to the World Psychiatric Associations, occurs primarily in the Soviet Union. That is the commitment to mental hospitals of perfectly sane persons as punishment for peaceful dissent, and the exercise of torture on the persons so committed."

In view of the Subcommission's delay in concluding a final draft report, the 37th General Assembly approved without a vote both in the Third Committee on December 7 and in plenary on December 18 a United Kingdom draft resolution noting that the Commission would not be in a position to submit a report to the General Assembly at its 38th session. The resolution reaffirmed that "detention of persons in mental institutions on account of their political views or on other non-medical grounds is a violation of their human rights," and urged the Commission and the Subcommission to continue and to expedite their consideration of this question with a view to submitting their recommendations to the 39th General Assembly. (Resolution 37/188.)

The Commission also considered under the broad question of science and technology several other resolutions which the United States considered beyond the scope of the Commission's work. One such resolution introduced by the Soviet Union and cosponsored by Algeria, Bulgaria, Cuba, Ethiopia, India, Poland, and Syria dealt with the question of disarmament. It called upon states "to ensure that the results of science and technological progress are used in the interests of international peace," and requested the Subcommission to carry out a study on the negative consequences of the arms race, particularly the nuclear arms race, for consideration by the Commission at its 40th session. The resolution was approved on February 19 by a vote of 32 to 0, with 11 (U.S.) abstentions. (Resolution 1982/7.)

In his explanation of vote on February 22, Mr. Schifter assured the Commission of the U.S. belief in peace and arms control to promote peace. He added, however, that "disarmament is not the task of this Commission." Mr. Schifter suggested that "the introduction of that issue in this forum does not advance the cause of peace and disarmament one iota, and, at the same time, detracts from this Commission's ability to deal with problems which are properly within its competence."

The Commission also considered under the subject of science and technology a draft resolution condemning the Israeli attack on an Iraqi nuclear installation in June 1981. The draft resolution condemned Israel "for its premeditated and unprecedented act of aggression which constitutes a dangerous escalation of Israeli violations of the inalienable human rights and the sovereign rights of states to scientific and technological development." It also called upon "all states to cease forthwith any moral, material, or human assistance which enables Israel to pursue its policies of aggression,

expansion, and violation of the human rights of others." The Commission adopted the resolution on February 19 by a vote of 30 to 1 (U.S.), with 11 abstentions. (Resolution 1982/5.)

In his explanation of vote on February 22, Mr. Schifter pointed out that the Israeli attack on the reactor near Baghdad had been fully considered by the Security Council in 1981. Action by the Commission was as unnecessary as it was inappropriate. Furthermore, Mr. Schifter pointed out, calls for sanctions were totally beyond the Commission's authority.

Finally, the Commission considered a draft resolution relating international peace to the use of science and technology. The draft resolution asserted a major significance for the Declaration on the Use of Science and Technological Progress in the Interests of Peace and for the Benefit of Mankind, an instrument that is not acceptable to the United States. It expressed concern that the results of scientific and technological progress might be used to spur an arms race and expressed hope that science and technology would make a vital economic contribution to the New International Economic Order. The draft resolution called upon states to use the achievements of science and technology for peaceful purposes and requested the Subcommission on Prevention of Discrimination and Protection of Minorities to undertake a study of the use of scientific and technological achievements to ensure the rights to work and development and asked that the Commission consider that study at its 39th session. The Commission approved the resolution on February 19 by a vote of 31 to 0, with 12 (U.S.) abstentions. (Resolution 1982/4.)

In his explanation of the U.S. abstention on February 22, Mr. Schifter recorded the U.S. view that the resolution made no useful contribution to the work of the Commission by asking for a study which "would be nothing more than a dance or a frolic." While the 1975 Declaration on the Use of Scientific and Technological Progress was not ideal, he added, it did recognize basic principles by which states could ensure the appropriate steps toward utilizing scientific and technological achievements for the promotion of the fullest realization of human rights and fundamental freedoms. In this context, Mr. Schifter added, "All of us are, of course, aware of the fetters which have been placed on the freedom and ability to think and to work of one of the greatest scientists of our era, Andrei Sakharov."

The 37th session of the General Assembly, in addition to considering the question of psychiatric abuse, also dealt with these broad questions of international peace in a two-part resolution. The first, Part A, attempted to establish the right to life as the most important human right. It expressed deep concern over the arms race and noted the pressing need for nuclear disarmament. In its operative paragraphs it called upon states "to take effective measures to prohibit by

law any propaganda for war," and to ensure that the results of scientific and technological progress are used exclusively for peace. It called upon the Commission on Human Rights to stress the primacy of the right to live. Arguing that the Universal Declaration of Human Rights speaks of the "right to life, liberty, and security," the U.S. Delegation pointed out that the cosponsors were taking the "right to life" out of context in an effort to distort the Universal Declaration's meaning. Although the United States was able to obtain a few helpful amendments, the overall text remained objectionable. The resolution was approved in the Third Committee on December 7 by a vote of 102 to 0, with 28 (U.S.) abstentions, and in plenary on December 18 by a vote of 110 to 0, with 24 (U.S.) abstentions. Mr. Gershman, speaking for the United States in the Third Committee, charged that the resolution attempted to prioritize human rights in a way which distorted provisions of existing human rights instruments. (Resolution 37/189 A.)

Part B of the resolution essentially replicated the resolution passed earlier by the Commission on Human Rights concerning the Declaration on the Use of Science and Technology in the Interests of Peace and for the Benefit of Mankind. It was approved in the Third Committee by a vote of 109 to 0, with 23 (U.S.) abstentions. (Resolution 37/189 B.)

Drafting International Instruments

During 1982, two instruments were adopted by the General Assembly without a vote, and several others remained pending before the commission on Human Rights and the General Assembly. The two instruments adopted by the Assembly were the Principles of Medical Ethics and the Declaration on the Participation of Women in Promoting International Peace and Cooperation, both of which are discussed elsewhere in this report.

Three draft instruments are being negotiated in working groups of the Commission on Human Rights: The Draft Convention Against Torture, the Draft Convention on the Rights of the Child, and the Draft Declaration on the Rights of Persons belonging to National Ethnic, Religious, and Linguistic Minorities. The two draft conventions are discussed elsewhere in this report. The Draft Declaration is a Yugoslav initiative which was first taken up by the Commission in 1978 and has been considered in a working group during each subsequent session. Progress has been extremely slow because of the ambiguity of the term "national minority." Each year, the Commission adopted a procedural resolution urging completion of the text at the next session, but so few working group meetings were scheduled during each session that little was accomplished. At its 38th session, the Commission adopted a resolution by consensus on March 11

which established a working group for the 1983 session which would continue consideration of the revised Draft Declaration submitted by Yugoslavia. (Resolution 1982/38.)

The following instruments were pending before the General Assembly and are covered in other parts of this report: Proposed Convention Against Mercenaries, Proposed Convention on the Rights of all Migrant Workers and their Families, Draft Declaration on the Rights of Non-Citizens, Draft Body of Principles for the Protection of all Persons under any form of detention or imprisonment, and Draft Declaration on Adoption and Foster Placement.

Measures Against Ideologies and Practices Based on Terror or Incitement to Racial Discrimination

At its 38th session, the Commission on Human Rights considered the question of "measures to be taken against all totalitarian or other ideologies and practices, including Nazi, Fascist, and neo-Fascist, based on racial or ethnic exclusiveness or intolerance, hatred, terror, systematic denial of human rights and fundamental freedoms, or which have such consequences." The Byelorussian S.S.R. introduced a draft resolution, also sponsored by Bulgaria and the German Democratic Republic, which strongly condemned all Nazi, Fascist, neo-Nazi, neo-Fascist, and racist organizations and groups that advocate racial or ethnic exclusiveness or intolerance, apartheid, hatred, terror, or genocide. The draft resolution also would invite all member states to adopt, as a matter of high priority, measures declaring punishable by law any dissemination of ideas based on racial superiority or hatred and outlawing organizations based on racial hatred or prejudices. The Netherlands introduced amendments to the Byelorussian S.S.R. draft resolution, which were sponsored by Australia and Canada. Since these amendments resulted in extensive debate, the Commission decided on March 11 to defer discussion and action on this item to its 39th session. (Decision 1982/105.)

During its 1st regular session of 1982, ECOSOC took note of the report of the Secretary General on measures to be taken against Nazi, Fascist, and neo-Fascist activities, and all other forms of totalitarian ideologies and practices based on racial intolerance, hatred, and terror, and decided on May 7 to transmit it to the General Assembly. (Decision 1982/146.)

At the 37th session of the General Assembly, the German Democratic Republic introduced a draft resolution in the Third Committee. The resolution concerned measures to be taken against Nazi, Fascist, and neo-Fascist activities, and all other forms of totalitarian ideologies and practices based on racial intolerance, hatred, and terror.

The resolution condemned all totalitarian or other ideologies and practices, in particular Nazi, Fascist, and neo-Fascist, based on racial or ethnic exclusiveness or intolerance, hatred, terror, systematic denial of human rights and fundamental freedoms, or which have such consequences. It also urged all states to consider taking measures, in accordance with their national constitutional system and the Universal Declaration and International Covenants, to prohibit or deter activities by groups, organizations, or individuals practicing those ideologies. The resolution invited states to adopt, as a matter of high priority, measures declaring punishable by law any dissemination of ideas based on racial superiority or hatred, and of war propaganda, including Nazi, Fascist, and neo-Fascist ideologies, and requested the Commission on Human Rights to consider this subject at its 39th session. The resolution also requested the Secretary General to submit a report through ECOSOC to the General Assembly at its 38th session, regarding any discussions held during the Commission on Human Rights meetings and any comments provided by states and international organizations. The resolution was adopted without a vote in both the Third Committee on December 9, and in plenary on December 17. (Resolution 37/179.)

The United States took exception to operative paragraphs 2 and 4 of the resolution. In his explanation of vote on December 17, the U.S. Representative, Mr. Gershman, indicated that although the United States did not break consensus on the resolution, the United States could not accept the view that "government repression of the dissemination of ideas is an appropriate or effective way to combat the revival of Nazism or to combat other totalitarian ideologies—a course suggested in operative paragraphs 2 and 4 of the resolution despite qualifying language." Mr. Gershman pointed out that the United States believed, on the contrary, that such an approach would only "legitimize totalitarian methods . . .."

Human Rights of Non-Citizens

During the 37th session of the General Assembly an open-ended working group met for the purpose of further considering the draft declaration on the question of the international legal protection of the human rights of individuals who are not citizens of the country in which they live.

Two earlier working groups met during the 35th and 36th General Assemblies for the purpose of discussing the draft declaration prepared in 1979 by Baroness Elles (United Kingdom) during her term as a Special Rapporteur of the Subcommission on Prevention of Discrimination and Protection of Minorities. Lady Elles' mandate was to formulate a declaration on the rights of lawful residents of a foreign country, in response to Uganda's expulsion of thousands of its

lawful resident aliens. Neither working group was able to complete a final version of the draft declaration which had been slightly revised by the Subcommission.

In 1982, a working group of the Third Committee under the chairmanship of Mrs. Halima Embarek Warzazi (Morocco), held several meetings during the 37th General Assembly. This working group was unable to reach an agreement on a definition for the term "alien," as used in the context of the declaration. This caused much confusion in the working group because the entire text is based on the premise that the term "alien" for purposes of the draft declaration covers only lawful permanent residents. A change in the definition of "alien" would necessitate extensive revision of several provisions in the text.

The United States participated actively in the working group. Ultimately, the United States concluded that little of value would result from this drafting exercise because the final declaration was likely to deviate so radically from the original intent of the drafter and the Subcommission. Unfortunately, the Swedish and U.S. Delegations were unsuccessful in attempting either to return the draft declaration to the Subcommission for further study or to defer a decision until the 38th General Assembly on whether or not to continue working group consideration of the item.

Morocco introduced a draft resolution which would reestablish the working group at the General Assembly's 38th session to conclude the elaboration of the draft declaration and expressed the hope that the draft declaration would be adopted at that session. The draft resolution was approved by the Third Committee on December 2 and adopted in plenary session on December 17, both actions taken without a vote. (Resolution 37/169.)

The U.S. Representative, Thomas A. Johnson, delivered the U.S. explanation of vote before the Third Committee on December 2. Mr. Johnson paid tribute to the outstanding performance of the working group chairman under difficult circumstances but stated that the United States had reluctantly joined consensus because the United States has serious reservations about the wisdom of continuing work on the draft declaration, which had already taken up the time of a working group for three sessions of the General Assembly. Mr. Johnson questioned whether the draft declaration was necessary at all and suggested that the time of the Third Committee could be better spent on other matters. Mr. Johnson noted efforts in the working group to deviate significantly from the mandate originally given to Baroness Elles and to change radically the fundamental nature of the draft declaration that had been forwarded by the Subcommission, the Commission on Human Rights, and ECOSOC. As mandated, Lady Elles prepared a text covering only lawful residents of a foreign country. The United States particularly objected, Mr.

Johnson said, to attempts to make the declaration applicable to all aliens in a country regardless of their legal status. Although this is not objectionable with respect to basic human rights and fundamental freedoms, these are accorded "everyone" by the Universal Declaration and the International Covenants. However, as Mr. Johnson pointed out, some proposals in the working group would grant social welfare and other government benefits to aliens, legal or illegal, on the same basis as citizens of the country concerned.

Human Rights of Migrant Workers

At its 38th session, the Commission on Human Rights considered a draft resolution introduced by Algeria which dealt with the question of measures to improve the situation and ensure the human rights and dignity of all migrant workers. This draft resolution, in referring to the "urgent need" to adopt a comprehensive convention on the protection of the rights of all migrant workers, recalled General Assembly resolution 34/172 in which the Assembly established an open-ended Working Group on the Elaboration of an International Convention on the Protection of the Rights of All Migrant Workers and Their Families. The draft resolution commended the working group on progress made on the Convention, urged all members to fully participate in the deliberations of the working group, expressed a desire for the General Assembly to complete elaboration of the Convention as soon as possible, and requested that the Secretary General inform the Commission at its 39th session of further progress achieved on this item. The resolution was adopted March 11 by a vote of 39 to 0, with 3 (U.S.) abstentions. (Resolution 1982/35.)

The United States abstained on this resolution, because it questioned the propriety of carrying out a draft convention on migrant workers outside of the International Labor Organization (ILO). The U.S. Representative, Mr. Johnson, in explaining the U.S. vote, indicated that any substantive discussion of the labor, social welfare, and human rights of migrant workers should be handled by the ILO which holds the requisite expertise in these matters, has already done extensive work on the subject of migrant workers, is the appropriate forum in which any new international instrument on this subject should be drafted, and should be given drafting responsibility if another convention is needed.

The working group, under the chairmanship of Ambassador Antonio Gonzalez de Leon (Mexico), held an intersessional meeting from May 10–21, 1982, and held 11 meetings during the 37th session of the General Assembly, with delegations from all regions, as well as observers from the ILO and UNESCO. At the insistence of the United States and certain other delegations detailed and accurate reports of these meetings were issued.

The U.S. Delegation has been particularly concerned with the importance of carefully defining the term "migrant workers" in order to distinguish foreign nationals lawfully admitted to the host country for employment purposes from those who gain admission by unlawful means and those who work in an unlawful status.

In its discussion of the human rights of migrant workers, the 37th General Assembly considered a draft resolution introduced by Algeria concerning measures to improve the situation and ensure the human rights and dignity of all migrant workers. The draft reiterated the need to make further efforts to improve the human rights of migrant workers, expressed satisfaction with the substantial progress made by the working group during its intersessional meeting, decided that the working group would again hold a 2-week intersessional meeting in New York immediately after the 1st regular session of the 1983 ECOSOC, and again during the 38th session of the General Assembly, with a view toward completing its work on the draft International Convention on the Protection of the Rights of All Migrant Workers and Their Families.

The Third Committee approved the draft resolution without a vote on December 2, and the Assembly adopted the resolution without a vote on December 17. (Resolution 37/170.)

Although the U.S. Delegation joined in consensus, Mr. Johnson reiterated many of the points in the U.S. explanation of vote on this item during the 1982 session of the Commission on Human Rights, including the fact that "the relatively small number of delegations participating in the General Assembly working group cannot hope to match the ability of the tripartite committees of the annual ILO general conference and the ILO secretariat to draft international labor instruments reflecting the interests of workers, employers, and governments." "With regard to enforcement and implementation of the proposed convention," Mr. Johnson added, "a convention concluded outside the ILO will not have the benefit of the lengthy experience of the ILO's secretariat, Committee of Experts, and Conference on the Application of Conventions and Recommendations at implementing and monitoring labor standards, nor the ILO's machinery for doing so through a detailed reporting system and well-established program of direct contacts with Member States."

Disappeared Persons

At its 38th session, the Commission of Human Rights considered the question of the human rights of persons subjected to any form of detention or imprisonment, and in particular, the question of missing and disappeared persons. France was the sole sponsor of a resolution considered by the Commission which expressed appreciation of the report of the Working Group on Enforced or Involuntary

Disappearances. The Resolution extended the term of the working group for another year; requested the working group to submit to the Commission's 39th session a report of its work; and requested the Subcommission on Prevention of Discrimination and Protection of Minorities to continue studying the most effective means for eliminating enforced or involuntary disappearances of persons, with a view to making general recommendations to the Commission's 39th session. The resolution was adopted by the Commission on March 10 without a vote. (Resolution 1982/24.)

In addition, Sweden and the United States made statements on the now well-known disappearance of Mr. Raoul Wallenberg. During the Second World War, Mr. Wallenberg was on assignment in Budapest for the Swedish Government. He disappeared in 1945, after being taken to the Soviet Union. Subsequently, the Soviet Union made a statement that he died in prison in 1947. However, many reports since that time, that he has been seen or spoken to, have led Mr. Wallenberg's family and friends to believe that he was still alive. In a statement on March 4 by the U.S. Representative, Mr. Novak, the United States called for a renewed search for Mr. Wallenberg, stressing that although the Wallenberg case did not fall under the mandate of the Working Group, the United States hoped for a "humanitarian gesture," to erase doubts Mr. Wallenberg's family and friends have regarding his fate. Mr. Novak added that "a renewed search and full report may lay to rest outstanding questions about Mr. Wallenberg's fate, or else, it could result in the discovery of the whereabouts of a man who stands among the heroes of our time."

During the 35th session of the Subcommission on Prevention of Discrimination and Protection of Minorities, the Subcommission adopted a resolution regarding the human rights of persons subjected to any form of detention or imprisonment. The Subcommission's resolution recommended a draft resolution to ECOSOC which requested the General Assembly to invite the International Law Commission to take into account when elaborating the Draft Code of Offenses Against the Peace and Security of Mankind, the opinions expressed and the Subcommission's comments on the question of missing and disappeared persons with a view to declaring the practice of persons being rendered "missing and disappeared" involuntarily a crime against humanity.

At the General Assembly's 37th session France introduced a resolution in the Third Committee, cosponsored by Austria, Costa Rica, the Federal Republic of Germany, Greece, Italy, Mexico, Senegal, Sweden, and the United Kingdom. The resolution welcomed the decision of the Commission on Human Rights to extend the working group's mandate for another year, appealed to all governments to cooperate fully with the working group's humanitarian

objectives, and called upon the Commission to continue studying the question of disappeared persons as a matter of priority. The resolution was adopted without a vote in both the Third Committee on December 9 and in plenary on December 17. (Resolution 37/180.)

Improving Effective Enjoyment of Human Rights

The 38th session of the Commission on Human Rights continued its ongoing effort to improve its programs and methods and to make the work of the Commission more effective in pursuit of human rights and fundamental freedoms. An open-ended sessional working group whose task was to develop an overall analysis of the best means by which to further the promotion and encouragement of human rights had been established at the beginning of the 37th session. This Working Group on Alternative Approaches continued its analysis of structural and organizational issues. In addition, the Commission considered the question of a High Commissioner for Human Rights, as well as several public information resolutions designed to make international human rights standards more widely known.

The Working Group, in its report to the Commission, considered a broad range of questions, including establishing the post of High Commissioner, redesignating and upgrading, within the organization of the UN Secretariat, the Division of Human Rights as a Center; redefining the Commission's terms of reference and its role in emergency situations; streamlining the work of the Commission; evaluating the role of the Subcommission on Prevention of Discrimination and Protection of Minorities; and strengthening the Commission's public information and educational activities.

On the basis of the Working Group's report, the Commission adopted without a vote a resolution recommending consideration of several procedural issues. These included rescheduling the Commission's annual session, rationalizing the Commission agenda, and establishing time limits on delegation remarks during the Commission session. In addition, the resolution recorded the Commission's decision to inform the General Assembly, through ECOSOC, of its continued interest in creating a post of High Commissioner for Human Rights. The Commission also decided to establish an open-ended working group at its 39th session to continue its overall analysis. (Resolution 1982/40.)

The Director of the Commission's Bureau, Theodoor van Boven, resigned on February 10, 1982, at the end of his term of appointment. The U.S. Representative, Mr. Novak, praised Mr. van Boven for his integrity, idealism, and organizational skills.

In his departing remarks, Mr. van Boven underscored his support for establishing the post of High Commissioner for Human Rights, as

well as supporting an intersessional role for the Bureau and the use of special rapporteurs or working groups to deal with situations of violations of human rights.

On February 19, the Secretary General announced his appointment of Kurt Herndl (Austria) to succeed Mr. van Boven. The Secretary General also moved to redesignate the Division of Human Rights as a Center, a move which the 35th session of the General Assembly had requested him to consider, and which was formally noted by the 37th General Assembly.

The 35th session of the Subcommission on the Prevention of Discrimination and Protection of Minorities failed to reach a consensus in its own procedural review of the status and activities of the Subcommission and its relationship to the Commission. The main issues discussed during a private session (invoked by a vote of 12 to 4 (U.S.), with 4 abstentions) included change of the Subcommission's title, election of alternates, the relationship of the Subcommission to ECOSOC, the frequency of meetings, and the question of public versus private meetings and open versus secret ballots.

The question of establishing the post of High Commissioner continued unresolved. The Commission adopted by a vote of 29 (U.S.) to 9, with 6 abstentions a resolution which provided the Subcommission with a clear directive to develop and submit to the Commission's 39th session concrete proposals on possible terms of reference for the post of High Commissioner. (Resolution 1982/22.)

The Subcommission responded during its 35th session by adopting by a vote of 10 (U.S.) to 6, with 4 abstentions, a resolution cosponsored by the U.S. expert, which proposed a framework of functions and responsibilities for the post of High Commissioner. In general terms, these included promoting and protecting observance of human rights and fundamental freedoms as defined in the Universal Declaration, in part through direct contacts with governments or by coordinating existing UN machinery, when necessary to assist in restoring respect for human rights.

In addition to evaluating its internal mechanisms for effective response to human rights violations, the Commission also pursued public information activities designed to publicize international human rights standards. The Commission adopted without a vote a resolution dealing with public information activities calling upon governments to make known UN activities in the field of human rights, particularly the work of the Commission in establishing human rights standards. The resolution also called upon the Secretary General to consider establishing small reference libraries dealing with human rights, particularly in developing countries, and to publish a pamphlet containing the basic international instruments on human rights. (Resolution 1982/42.) ECOSOC endorsed this resolution at its 1st regular session of 1982. (Decision 1982/138.)

Economic, Social, and Cultural Rights

At its 38th session the Commission on Human Rights adopted a resolution on the question of the so-called "right to development." The draft resolution was introduced by Senegal, and cosponsored by 23 other states.

As in previous years, the United States was unable to join a consensus on the "right to development" resolution. The draft resolution stressed the obligation of states to create the necessary conditions for the realization of the "right to development" and reaffirmed that foreign occupation, colonialism, apartheid, racism, racial discrimination, and the denial of the right to self-determination of peoples are all serious impediments to economic and social progress. The resolution decided to review the mandate of the Working Group of Government Experts on the Right to Development, in order to allow it to elaborate a draft Declaration on the right to development as a human right; requested the Working Group to submit to the Commission at its 39th session a draft declaration on the right to development; and decided to consider this question with high priority at its 39th session, with a view to taking a decision on the work undertaken on the draft declaration. The Commission adopted the resolution on March 9 by a vote of 41 to 0, with 1 (U.S.) abstention. (Resolution 1982/17.)

The United States abstained on this resolution on the grounds that the resolution reflected an attempt to shift the emphasis and priorities of the United Nations from civil and political rights to economic and social rights, and from individual to collective human rights. In a statement before the Commission on February 28, the U.S. Representative, Mr. Novak, discussed the U.S. position, emphasizing the example of "democratic capitalism" as a model for reducing material suffering and increasing the wealth of all nations. Mr. Novak stated that it was "democratic capitalism" that brought forth the reality of development in human history. Mr. Novak's linkage between democracy and capitalism reflected the view that political liberties brought forth economic liberties.

During the 37th General Assembly a draft resolution on the right to development was introduced by Cuba in the Third Committee for the fourth consecutive year. It set forth the interrelationship between the new international economic order and human rights and fundamental freedoms, declared the right to development to be an inalienable human right, and again requested the Commission on Human Rights to take "the necessary measures to promote the right to development," taking into account the results achieved by the Working Group of Experts to date. the resolution was approved in the Third Committee on December 1 by a vote of 104 to 1 (U.S), with 24 abstentions, and in plenary by a vote of 113 to 1 (U.S.), with 26 abstentions. (Resolution 37/199.)

The United States was particularly encouraged by the high number of abstentions on the Cuban resolution which reflected widespread dissatisfaction with the text adopted. In an explanation of vote on December 2, the U.S. Representative, Mr. Johnson, stated that the resolution was unacceptable because it was an attempt to shift priorities from individual to so-called "collective human rights," it characterized the "right to development" (which had yet to be defined by any international body) as an inalienable human right, it presumed to establish prerequisites that must be achieved such as establishment of the new international economic order or the right of workers to participate in management before human rights and fundamental freedoms can be fully enjoyed, and it mandated that the Commission on Human Rights continue its analysis of the "right to development" in accordance with the provisions and concepts of General Assembly resolution 32/130, which was unacceptable to the United States. Mr. Johnson added that the resolution was also procedurally inappropriate because it sought to prejudge and influence the work of the Working Group of Government Experts, whose task was to determine the scope and contents of the "right to development," whereas the resolution assumed that the "right to development" existed and that its contents were settled and accepted.

One of the bright spots of the 37th General Assembly was the adoption of a resolution that was a counterweight to the Cuban "right to development" resolution. The delegations of Australia and Ireland skillfully maneuvered a draft resolution through negotiations and procedural battles, to be approved in the Third Committee on December 1 by a vote of 75 (U.S.) to 30, with 22 abstentions and adopted in plenary on December 18 by a vote of 81 (U.S.) to 38, with 20 abstentions. (Resolution 37/200.) The resolution essentially expressed the Western approach to human rights matters, including a recognition that all violations of human rights were of concern to the United Nations, that all states should cooperate with the Commission on Human Rights in its study of specific violations of human rights, and that the Secretary General should take appropriate measures to strengthen the Center for Human Rights. Mr. Johnson, in an explanation of vote December 2, stated that the United States was pleased to vote for the resolution, which represented a far more constructive approach to genuinely improving the effective enjoyment of human rights and fundamental freedoms than was reflected in the "right to development" resolution.

Regional Arrangements

In 1977 the General Assembly requested the Secretary General to give priority to organizing regional seminars in the field of human

rights where no regional human rights commissions existed. As a result of the Secretary General's efforts, seminars have been held in Monrovia, Liberia (1979), and Colombo, Sri Lanka (1982).

During the 37th session of the General Assembly, Sri Lanka introduced a resolution in the Third Committee concerning regional arrangements for the promotion and protection of human rights. The resolution noted that the General Assembly had considered the report of the seminar held in Colombo, Sri Lanka, June 21–July 2, 1982 on national, local, and regional arrangements for the promotion and protection of human rights in the Asian region. The resolution expressed appreciation to the Government of Sri Lanka for hosting the seminar, requested the Secretary General to transmit the report of the seminar to states members of the ESCAP and invited their comments on the report. It also requested the Secretary General to submit the report of the seminar, together with the requested comments, to the Commission on Human Rights at its 40th session for consideration, and to report through ECOSOC to the 39th General Assembly. The resolution was approved in the Third Committee on December 9 without a vote and in plenary on December 17, also without a vote. (Resolution 37/171.)

Belgium introduced a second resolution in the Third Committee on this question. This resolution concerned regional arrangements for the protection of human rights. The resolution noted with satisfaction the progress achieved toward the promotion and protection of human rights and commended the OAU for its efforts in that direction. The resolution requested the Secretary General to compile and update his reports on the status of regional arrangements for the protection of human rights, including a review of informational exchanges between the United Nations and regional organs on this subject, and to report to the 38th General Assembly.

Operative paragraph 2 of the draft resolution referred to the African Charter on Human and People's Rights. Stimulated by the regional seminar held in Monrovia in 1979, the OAU elaborated and adopted the African Charter on Human and People's Rights. In negotiating this draft resolution, the United States had opposed anything that could be interpreted as an endorsement of the entire Charter, which included a preambular clause joining Zionism with colonialism, neo-colonialism, and apartheid. Instead, the United States obtained language which commended the OAU "for its continuing efforts to promote respect for the guarantees and concerns of human rights and fundamental freedoms" and simply "notes with interest" the African Charter on Human and People's Rights. The resolution was approved by the Third Committee on December 9 and adopted in plenary session on December 17, both actions without a vote. (Resolution 37/172.)

Mr. Gershman's statement in the Third Committee reflected U.S. happiness in being able to help bring about a universally acceptable

amendment to paragraph 2 which allowed for consensus. He added that the United States "favors as a matter of basic policy the strengthening of regional efforts to promote human rights. Such regional efforts support and reinforce in an important way the activities of the human rights organs of the United Nations. The United States welcomes all efforts on the part of the governments of Africa and other regions of the world to protect and promote the basic rights of all the people of their respective regions."

Subcommission on Prevention of Discrimination and Protection of Minorities

The 35th session of the Subcommission on Prevention of Discrimination and Protection of Minorities met August 16–September 10, 1982, in Geneva. John Carey acted as the independent expert from the United States, having been designated as Alternate by the U.S. expert, W. Beverly Carter, Jr., prior to his death. The Subcommission opened with a warm tribute to the deceased U.S. expert.

The opening session also provided an opportunity for the new Director of the Center for Human Rights, Dr. Herndl, to make his first address to a human rights body since assuming leadership of the Center on August 1. Dr. Herndl promised to continue along the paths already established and pointed to the redesignation of the former Human Rights Division as a Center as evidence of the Secretary General's dedication to human rights. He indicated that the special importance of the Subcommission lay in its concern with equality, which is fundamental to the promotion of all human rights.

The principal issues before the Subcommission concerned self-determination in Afghanistan and Kampuchea, and human rights in El Salvador and Guatemala, as well as advancing the development of more effective international human rights institutions by adopting a comprehensive proposal for the mandate of a High Commissioner for Human Rights in a resolution approved by a vote of 10 to 6, with 4 abstentions, which contained concrete proposals for the High Commissioner's mandate. The Subcommission also expressed concern for the human rights situations in Afghanistan and Kampuchea, which were imperiled by the presence of foreign troops. In the case of Afghanistan, the Subcommission voted 14 to 3, with 2 abstentions, reaffirming grave concern at continued, prolonged, and arbitrary violations of basic human rights of the "courageous, free, and Islamic people of Afghanistan." The resolution also called for a political settlement based on withdrawal of foreign troops and full respect for the independence, sovereignty and territorial integrity, and non-aligned status of Afghanistan. It also called for the immediate withdrawal of foreign troops and respect for Afghanistan's rights to self-determination. In that context, the Subcommission referred to

reports of use of weapons outlawed by the international community. In the case of Kampuchea, the Subcommission endorsed by a vote of 12 to 5, with 2 abstentions the relevant UN resolutions on Kampuchea designed to bring about the withdrawal of foreign forces from that country and to enable the people of Kampuchea to determine their own form of government, free from foreign interference.

In regard to the ongoing question of conditions in El Salvador, the Subcommission indicated by a vote of 13 to 3, with 4 abstentions its alarm over reports of grave deterioration of the human rights situation in that country and the Subcommission's conviction that conditions in El Salvador were not contributing to the effective exercise of civil and political rights. In the resolution's operative paragraphs, the Subcommission recommended that El Salvador's Government apply the rules of international law applicable to armed conflict and apply at least minimum standards of protection of human rights and of humane treatment. The Subcommission also expressed concern over persistent and systematic violation of human rights in Guatemala, and urged the Guatemalan Government to take the necessary steps to guarantee full respect for human rights and fundamental freedoms. The resolution also welcomed the appointment of a Special Rapporteur and assurances of the Government's cooperation.

In other matters, the Subcommission expressed its concern over the human rights protections accorded to the Baha'i religious minority in Iran, and called for an analysis of current trends and developments in respect to the right of everyone to leave any country, including his own, and return to his country.

Another issue of importance was the item, "Question of slavery and the slave trade in all their practices and manifestations, including the slavery-like practices of apartheid and colonialism." Two persons were designated as a delegation to Mauritania at that Government's invitation to inspect the situation in that country. In addition, the Subcommission passed an omnibus resolution containing several suggestions for further action by UN bodies on the subject of slavery and slavery-like practices.

Continuing its emphasis on the problems of apartheid in South Africa, Mr. Khalifa (Egypt) presented his annual report on assistance, commercial, and financial relationships with South Africa. As in previous years, the report consisted essentially of an updated list of firms who have investments in or do business with South Africa.

Expressing its concern over conditions in the Middle East, the Subcommission adopted by a vote of 18 to 1, with 3 abstentions a typically harsh and one-sided resolution on Middle East issues which recommended condemnation of Israel for its invasion of Lebanon as a deliberate act of aggression and called for Israel to withdraw from the occupied territories, including Jerusalem, and the occupied Golan Heights.

Other issues included Subcommission rejection of a draft decision calling for UN inquiry into allegations of atrocities by Japanese occupation forces in North China during World War II. After prolonged debate, the Subcommission decided in favor of focusing on more recent human rights violations. The Subcommission also voted 9 to 3, with 6 abstentions to defer until next year a draft resolution dealing with Poland.

Other resolutions included one asking the Secretary General for a report on the availability of UN technical assistance for strengthening legal institutions in developing countries. The Subcommission also adopted a set of principles on the rights of detainees; reaffirmed its strong support for the Commission's Working Group on Disappearances; approved the first report of its new Working Group on Indigenous Populations; requested the Secretary General to assemble information on ways and means to promote the rights of disabled persons; recommended that the Commission on Human Rights urge the Chilean Government to respect human rights; recommended that the Commission call upon Portugal, Indonesia, and "the representative of the East Timorese people" to cooperate with UN efforts to guarantee self-determination to East Timor; asked the Commission and ECOSOC to authorize a Subcommission study on "the Right to Adequate Food as a Human Right;" asked the Commission and ECOSOC to request the Security Council and the General Assembly to consider the impact of mass and flagrant human rights violations on international peace and security; and requested authority from the Commission and ECOSOC to appoint a Subcommissioner as Special Rapporteur to update the study on genocide.

Finally, the Subcommission carried forward the development of a draft set of principles, guidelines, and guarantees for the protection of the mentally ill or persons suffering from mental disorder.

In addition to the work accomplished by the Subcommission, as summarized by its public report, the Subcommission considered the usual large number of private communications alleging violations of human rights within countries. Acting pursuant to ECOSOC resolution 1503 (XLVIII), and meeting in confidential sessions, the Subcommission identified particular situations which appeared to reveal a consistent pattern of gross and reliably attested violations of human rights requiring consideration by the Commission.

Status of Women

Issues concerning the status of women were debated in many organizations of the United Nations during 1982 and were by no means confined to the Commission on the Status of Women, ECOSOC, or the General Assembly. For example, the United States took a leadership position on the integration of women in develop-

ment at the UNDP Governing Council; on special educational needs of women at the UNESCO General Conference, and in discussions of the rights and plights of elderly women at the World Assembly on Aging. Our initiatives were well supported in all of these areas.

COMMISSION ON THE STATUS OF WOMEN

ECOSOC's 32-member Commission on the Status of Women[17] met in Vienna February 24–March 5, 1982. Major objectives of the United States were to establish a working group to study communications of alleged violations of women's rights and, if possible to strengthen the Commission's procedure for handling such communications, and to ensure that the Commission would serve as the preparatory body for the 1985 World Conference on Women, consistent with our belief that the UN body of experts on women's issues should make the decisions on the substance of and the procedures for the Conference. Both objectives were achieved.

The general objective of the U.S. Delegation was to keep attention focused on substantive issues concerning women rather than seeing the work of the Commission subordinated to divisive political confrontations. The United States received substantial support from other delegations in this effort. As a result, political rhetoric was relatively muted throughout the session thereby focusing on practical and productive efforts to improve the worldwide status of women.

The Commission took action regarding humanitarian and legal aid to protect women and children refugees, those in occupied territories, under apartheid, and abuses against them. It took action to prescribe measures to combat the growing problem of prostitution, recommended action to be taken to ensure the recovery abroad of maintenance, and approved resolutions in preparation for the 1985 World Conference to review and appraise the achievements of the UN Decade for Women, as well as for the participation of elderly women at the World Assembly on the Aging. Once again, a resolution was adopted emphasizing the importance of women's full participation in economic development, and on guidelines for reporting procedures on the status of women. The Commission also adopted a resolution expressing its pleasure on the entry into force on September 3, 1981, of the Convention on the Elimination of All Forms of Discrimination Against Women. The latter was one of the eight resolutions adopted by consensus. The remaining 3 of the 11 resolutions adopted by the Commission were adopted by rollcall votes.

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[17] Canada, China, Cuba, Czechoslovakia, Egypt, Finland, France, German Democratic Republic, Ghana, Guatamala, Honduras, India, Iraq, Italy, Japan, Lesotho, Malaysia, Nigeria, Norway, Pakistan, Panama, Senegal, Spain, Sudan, Trinidad and Tobago, Uganda, Ukraine S.S.R., U.S.S.R., United Kingdom, United States, Venezuela, and Zaire.

The Convention was recognized by many governments and by the women of the world as a most important legal document. Since considerable discrimination against women still existed, the Convention would be a necessary instrument for women's equal rights, irrespective of the socioeconomic system in which women lived. The Convention was regarded as a major achievement of the first half of the UN Decade for Women.

Since 1947, the Commission has considered the subject of communications on violations of human rights. An *ad hoc* working group on communications was appointed on March 1, 1982, to study not only the confidential and non-confidential lists concerning the status of women, but also procedures for dealing with these communications.[18]

Two draft resolutions were introduced in the Commission on the subject of communications. The first, introduced in the Ukraine S.S.R. had as its basic contention that it considered it desirable to entrust the Commission on Human Rights with handling communications relating to the status of women. The second, introduced by the United Kingdom and sponsored by 11 other countries including the United States, reaffirmed the mandate of the Commission on the Status of Women to consider confidential and non-confidential communications on the status of women; requested the Secretary General to submit to the Commission, beginning with the 30th session, a report on all communications received, from whatever source; authorized the Commission to appoint a working group similar to the *ad hoc* group appointed at the present session; and requested the Commission to examine the report of the working group to avoid duplication of work undertaken by other organs of ECOSOC, the Commission being empowered only to make recommendations to the Council, which shall then decide what action may appropriately be taken on the emerging trends and patterns of communications.

Following a procedural debate, the Commission took a rollcall vote on a Ukrainian proposal to defer taking a decision on the question until the 30th session. The proposal was rejected by a vote of 13 to 8 (U.S.), with 6 abstentions. At the same time the Commission adopted the draft resolution introduced by the United Kingdom by the rollcall vote of 16 (U.S.) to 6, with 5 abstentions.

Nigeria introduced a draft resolution entitled "Women and children under apartheid." Among other things, the resolution invited women's organizations to intensify their action in solidarity with the struggle for liberation in South Africa and Namibia and to consider a greater coordination of their efforts in cooperation with the Special Committee Against Apartheid. The resolution was adopted by a

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[18] Five representatives were nominated by their regional groups. Margaret Galey was nominated by the United States.

rollcall vote of 19 to 1 (U.S.), with 6 abstentions. In explanation of vote, the U.S. representative deeply regretted having to vote against the draft. While sympathizing with the situation of women in South Africa and Namibia, the United States was involved with other members of contact groups in negotiations, the success of which should enable Namibia to take its rightful place among the family of nations. The United States felt that the resolution was not conducive to that end.

Iraq introduced a resolution concerning the situation of women and children in the occupied Arab territories which, *inter alia*, considered that the international cooperation and peace are threatened by colonialism, neo-colonialism, Facism, Zionism, apartheid, and foreign occupation, alien domination and racial discrimination in all its forms, and appealed to all women of the world to proclaim their solidarity with Palestinian women in their drive to put an end to the flagrant violation by Israel of fundamental human rights in occupied territories. The resolution was adopted by a rollcall vote of 14 to 8 (U.S.), with 4 abstentions. The U.S. had voted against the draft since it was a more appropriate issue for other UN forums. The U.S. Delegation further objected to the intemperate language, including the equation of Zionism and Facism. Resolutions of the sort contributed nothing to the constructive search for peace; on the contrary they made the task more difficult and as such they should be firmly rejected.

The United States cosponsored three draft resolutions, all of which were adopted by consensus. The first dealt with elderly women and the World Assembly on Aging and suggested that special problems faced by elderly women should be dealt with in the plan of action to be adopted by the World Assembly. It also requested states members of the United Nations to ensure that elderly women were appointed as members of their delegations to that Assembly. The second expressed concern at the plight of Kampuchean women and children and called upon the international community to continue to share the burden of assisting refugees and displaced persons from Kampuchea. Finally, a draft resolution calling attention to the abuse of women and children, and calling it an intolerable offence to the dignity of the human being, called upon all states to take immediate steps to combat these social evils. It also called upon the Secretary General to compile a study on the action taken by member states and to submit the report to the World Conference to Review and Appraise the Achievements of the UN Decade for Women, if the Preparatory Committee for the Conference so decided.

The role of women in economic development was the subject of a draft resolution introduced by India. The resolution recommended that the General Assembly should requestion all specialized agencies and other relevant organizations, in particular the UNDP, to

consider including special financial components, in their technical cooperation programs for the economic development of women.

France introduced two draft resolutions. The first dealt with the problem of traffic in persons and of the exploitation of the prostitution of others. In this resolution, it was recommended that the General Assembly at its 37th session should consider the appointment, within existing budgetary resources, of a special rapporteur, who could ensure coordination of surveys and studies, submit an indepth analysis of the situation, and propose appropriate measures to prevent and suppress those practices which are contrary to the fundamental rights of human beings.

The second was concerned with the difficulty of obtaining payment of maintenance to spouses and children in cases of divorce or separation, and requested the Secretary General to give full information on the New York Convention on the Recovery Abroad of Maintenance of 20 June 1956.

The draft resolution "Preparations for the 1985 World Conference on the UN Decade for Women" called for extraordinary sessions of the Commission in 1983 and 1985 for Conference preparations, and requested the views of member states on themes for the Conference. The resolution also called for consultations on the 1985 Conference by the regional commissions, with results of these consultations to be forwarded to the Preparatory Committee. Non-governmental organizations were also invited to present their views on Conference issues and themes so that they could be consolidated into a report for the Preparatory Committee.

An attempt by the Eastern bloc to include the "Declaration on Women in the Struggle for International Peace" on the agenda for the 30th session was unsuccessful.

ECOSOC CONSIDERATION

At its 1st regular session in 1982, ECOSOC considered the question of activities for the advancement of women; UN Decade for Women: Equality, Development, and Peace; the report of the commission on the status of women covering the 29th session; the report of the Board of Trustees of the International Research and Training Institute for the Advancement of Women; and several related reports and notes from the Secretary General. The resolutions which had been adopted by consensus in the Commission were adopted in the same manner in the Council. Speaking to the Council on April 22, the U.S. Representative, Nancy Reynolds, said that all of the resolutions addressed special areas of concern to women and together represented substantial progress in defining many of the issues that result in the general continuing inequality of the sexes. She briefly restated the explanations of vote made in the Commission

regarding the resolutions on the situation of women and children in occupied Arab territories, and women and children under apartheid. The resolutions were adopted by rollcall votes of 28 to 9 (U.S.), with 15 abstentions, and 35 to 1 (U.S.), with 6 abstentions, respectively.

When the Commission's resolution on communications concerning the status of women was considered in the Council, the United States and other supporters of the resolution were not successful in achieving its adoption. On April 24, Byelorussia introduced a draft decision which would seek the views of the Human Rights Commission at its 39th session, and then reconsider the resolution at the 1st regular session of ECOSOC in 1983.

A new resolution entitled "International Research and Training Institute for the Advancement of Women" was introduced by Argentina on April 23 and adopted by consensus on May 4. The resolution, *inter alia*, emphasized that the research and training activities of the Institute should aim at strengthening the links between issues affecting women and mainstream development activities at all levels, and called upon all member states to contribute to the UN Fund for the International Research and Training Institute for the Advancement of Women or to cooperate with the Institute so as to ensure regular and effective financing for its program development. (Resolution 1982/27.).

GENERAL ASSEMBLY

The 37th General Assembly adopted nine resolutions under the agenda items "UN Decade for Women: Equality, Development, and Peace," and "Status of the Convention on the Elimination of all forms of Discrimination Against Women." The Third Committee considered the items at 10 meetings between November 2 and 26. All of the draft resolutions were introduced in Committee on November 22 and approved by consensus on November 24. The plenary Assembly adopted the resolutions, also by consensus, at the 90th meeting on December 3.

The first resolution, introduced by Argentina and sponsored by 37 other states, was similar to the resolution introduced in ECOSOC relative to the International Research and Training Institute for the Advancement of Women. It also urged member states to contribute to the UN Trust Fund for the Institute. (Resolution 37/56.)

The second resolution entitled "Integration of Women in Development" was introduced by the United States on behalf of 15 other countries. The U.S. Representative, Robin R. Ritterhoff, said that full integration of women in development was of great interest to the sponsors, who hoped for progress in that field. They felt that the draft would meet delegations' needs for answers concerning the ways in which agencies working for women's rights had been implement-

ing their mandate, and it would help in the preparations for the 1985 World Conference. (Resolution 37/57.)

Two other resolutions, both sponsored by Bangladesh on behalf of the Group of 77 were concerned with the UN Decade for Women and preparations for the World Conference. The first, *inter alia*, called upon all governments and organizations of the UN system to pay increased attention to the need to take practical measures to implement the Program of Action for the Second Half of the UN Decade for Women. (Resolution 37/58.) The second draft welcomed ECOSOC's decision to make the Commission on the Status of Women the preparatory body for the Conference; endorsed the decision to invite the widest possible participation by member states in the preparatory meetings; and recommended that the world survey on the role of women in development being prepared by the Secretary General be submitted to the Conference. (Resolution 37/60.)

Mongolia introduced the fifth draft resolution on behalf of 18 other sponsors. The draft called upon states to improve the economic and social conditions of rural women and requested UN bodies to devote greater attention to the problems of rural women. It also requested the Secretary General to compile observations of governments on this subject a report to be submitted in 1984. (Resolution 37/59.)

Canada, on behalf of 16 others including the United States, introduced a draft resolution concerned with women in public life. The draft called on states to make special efforts to nominate and appoint women by the end of 1985, taking due account of their professional competence and, on an equal basis with men, to decisionmaking positions in national and international bodies in which they are not equitably represented. The Secretary General and heads of UN bodies were likewise called upon to make increased efforts to select and appoint women to such positions in the UN system. (Resolution 37/61.)

The United Kingdom and four other sponsors introduced a draft relative to the Voluntary Fund for the UN Decade for Women. The draft noted the Fund's catalytic role in promoting the adoption of innovative activities by governments and other funds, and urged regional commissions to take further action to use available financial and personnel resources to strengthen their programs for women. It also requested the Secretary General to continue to report annually on the management of the Fund. (Resolution 37/62.)

The eighth draft resolution, introduced by the German Democratic Republic and cosponsored by 23 other member states, was entitled "Declaration on the Participation of Women in Promoting International Peace and Cooperation." Miss Ritterhoff said that the United States had not opposed the adoption, by consensus, of the text even though it considered it to be unnecessary. The bulk of the document contained nothing but political rhetoric which had absolutely no

validity, and the manner in which the text had been formulated should not be considered a precedent for the future work of the Committee or for other UN bodies. In addition, a Convention on the Elimination of All Forms of Discrimination Against Women already existed and thus the text in the draft was superfluous. Her Delegation did welcome the fact that the resolution encouraged the adoption of appropriate measures to increase the effective participation of women in political and other activities at the national and international levels. (Resolution 37/63.)

The final resolution, introduced by Sweden concerned the status of the Convention on the Elimination of All Forms of Discrimination Against Women, which had been adopted at the 34th General Assembly. The United States had become a signatory to the Convention on July 17, 1980. The resolution noted that the Convention had entered into force on September 3, 1981, and welcomed the election on April 15, 1982, of the 23-member Committee on the Elimination of Discrimination Against Women. (Resolution 37/64.)

(In the area of increasing the number or women professionals employed by the United Nations, see section on the Joint Inspection Unit.)

SPECIALIZED AGENCIES AND THE IAEA

World Bank Group

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT AND INTERNATIONAL DEVELOPMENT ASSOCIATION

During the World Bank's fiscal year of 1982, ending June 30, 1982, Bhutan, Vanuatu, and Belize joined both the IBRD and IDA, and the United Arab Emirates and St. Lucia joined IDA. This brought IBRD membership to 142 and IDA membership to 130.

The contribution to the cause of development by Robert S. McNamara, President of the World Bank from 1968 to 1981, was commemorated by the Bank by the establishment of a program of fellowships primarily for full-time study or research at the postgraduate level in fields related to economic development. A maximum of 10 fellowships will be awarded annually.

Resources

The Sixth Replenishment of IDA (IDA VI) became effective on August 24, 1981, when the United States agreed to contribute $3.24 billion (27% of the $12 billion replenishment). While Congress authorized the full amount requested for IDA VI, it stipulated that

the U.S. contribution be stretched over at least 4 years, rather than the 3 years (fiscal years 1981–83) envisaged in the replenishment agreement. The United States contributed $500 million in fiscal year 1981 and $700 million in fiscal year 1982. As a result, IDA commitments in the World Bank fiscal year 1982 were 37% lower than planned.

The Omnibus Budget Reconciliation Act of 1981 contained authorization for U.S. participation in the World Bank's $40 billion General Capital Increase (GCI). The U.S. share of the GCI was 22%, or $8.8 billion. Of the $8.8 billion, only 7.5% ($658 million) is to be paid in, with the remainder in the form of callable guarantees. The United States plans to subscribe to its shares of the GCI over 6 fiscal years, 1982–87.

The IBRD's borrowings, which constitute the principal source of funds for financing its lending operations, amounted to $8,521 million in fiscal year 1982, mostly from the capital markets of the United States, Europe, and Japan.

Lending Program

During fiscal year 1982, the IBRD committed $10,330 million in support of 150 projects in 43 countries, a 17% increase over the fiscal year 1981 level. IDA approved credits amounting to $1,686 million for 97 projects in 42 countries, a decline of 23% from fiscal year 1981.

IDA finance was concentrated in support of the poorest developing countries, with 90% of credits going to countries with a per capita GNP below $411 (1980 dollars). IBRD lending to this group more than doubled in fiscal year 1982 due to the $800 million boost in the IBRD lending program to cover part of the shortfall in IDA funds. IBRD lending in this category is restricted to those countries sufficiently creditworthy to service the harder IBRD terms.

Energy lending (oil, gas, coal, power, and energy-related industry projects) amounted to about 26% of World Bank commitments in fiscal year 1982, up from 19% the previous year. Lending for agriculture and rural development (including feeder and rural roads) dropped to 25% from 32% in fiscal year 1981. This relative drop resulted from the decreased availability of IDA funds and from an increase in lending for structural adjustment.

Total IBRD and IDA commitments in fiscal year 1982 had the following sectoral composition:

Sector	U.S. Dollars Millions	Percentage
Agriculture and Rural Development	3,078	23.7
Development Finance Companies	1,093	8.4
Education	526	4.0
Energy		
Oil, Gas, and Coal	766	5.9
Power	2,131	16.4
Industry	959	7.4
Nonproject and Structural Adjustment	1,241	9.5
Population, Health, and Nutrition	36	0.3
Small-Scale Enterprises	286	2.2
Technical Assistance	73	0.6
Telecommunications	396	3.0
Transportation	1,614	12.4
Urbanization	375	2.9
Water Supply and Sewerage	441	3.4

Projects approved during fiscal year 1982 had the following regional distribution:

Region	Total Loans and Credits Number	(U.S. Dollars) (Millions)
Eastern Africa	42	714.6
Western Africa	36	1,086.9
East Asia and Pacific	37	2,723.4
South Asia	36	3,124.0
Europe, Middle East, and North Africa	46	2,379.1
Latin America and Caribbean	50	2,987.9

Actual disbursements on IBRD and IDA loans totaled $8,393 million in fiscal year 1982, an increase of 21% over the 1981 level.

International Finance Corporation

The International Finance Corporation (IFC) assists the economic development of its developing member countries by making loans and equity investments in productive private enterprises; by bringing together investment opportunities, domestic and foreign private capital, and experienced management; and by helping to develop

local and regional capital markets, and promoting privately-owned development finance corporations. Projects are selected on the basis of their useful contribution to economic development and financial viability.

Membership in the IFC rose to 123 during fiscal year 1982 with the admission of Belize, St. Lucia, and Vanuatu.

The total dollar volume of approved investments of $611.8 million in fiscal year 1982 was $199 million lower than the previous year. This was attributable to the unattractive investment climate in many developing countries during the year, and greater efforts in smaller and poorer countries where projects tend to be smaller. Almost half the projects were in countries with per capita incomes of less than $760 per year.

International Monetary Fund

By mid-1982 membership in the International Monetary Fund (IMF) had risen to 146 countries with the admission of Antigua and Barbuda, Belize, Bhutan, and Hungary. IMF quotas during this period totaled Special Drawing Rights (SDR) 61 billion. The U.S. quota of SDR's 12.6 billion represents 20.6% of the total, and largely determines the U.S. voting share of 19.5%.

Member country economies, particularly those of the LDC's, came under considerable strain in 1982, the result of delayed adjustment to the earlier increases in oil prices as well as the effects of the worldwide recession and high real interest rates. The Fund continued to play an important role in the adjustment process, but its efforts placed a considerable strain on its resources. Drawings by Fund member countries reached a record level of SDR 7.4 billion in 1982, an increase of 10% from the previous record level of purchases of SDR 6.8 billion a year earlier. Repurchases by members in 1982 total only SDR 1.8 billion, a decline from SDR 2.1 billion in 1981, and their lowest annual level since 1976.

QUOTA INCREASES

The pressures on Fund resources encouraged considerable progress on the Eighth General Quota Review in 1982. In view of the sharply increased demands on the Fund, the IMF's Interim Committee decided to advance the date of the new quota increase. It will come into effect in late 1983 instead of the originally scheduled 1985, assuming its ratification by a necessary 85% of the weighted vote of the member countries.

COMPENSATORY FINANCING FACILITY

Use of the Compensatory Financing Facility (CFF) grew significantly in 1982, principally as a result of the fall in commodity prices.

Purchases in 1981–82 of SDR 1,635 million amounted to nearly double those in each of the previous 2 years. Demand for use of the CFF continued and increased throughout the rest of the calendar year with requests from Argentina, Brazil, and Chile alone amounting to SDR 1,225 million. The majority of countries drawing on the CFF in 1982 also had a conditional credit arrangement with the Fund.

Food and Agriculture Organization

The Food and Agriculture Organization is one of the largest UN specialized agencies with a regular 1982–83 budget of $368 million and extra-budgetary resources of over $600 million. As is normally the case in years between the biennial conference, discussions during 1982 centered on review of current activities and establishment of priorities for the next, 1984–85, biennium. The most noteworthy meetings were the five Regional Conferences and the 82nd session of the FAO Council in November 1982.

REGIONAL CONFERENCE

The Regional Conferences for Africa, Latin America, Europe, Near East/North Africa, and Asia/Pacific reviewed FAO's regional programs and prepared recommendations for the 1983 FAO biennial conference. In general, the improved worldwide agricultural situation was cause for relative optimism in the regional conferences. Noteworthy was the realistic appreciation of national responsibility for increasing food production, particularly among the African countries. At least one regional group, Latin America, expressed a belief that its region was not receiving a fair share of FAO's program activities. The Regional Conference for Asia and the Pacific was dominated by the proposed creation of a Regional Commission for Food Security. As proposed, this would have duplicated current ESCAP efforts in the food security area and raised the possibility of increased budgetary needs for FAO. The United States, a member of the Asia/Pacific region, strongly supported a successful effort to amend the proposal, stipulating that costs be met from reduced expenses elsewhere and recognizing ESCAP's role in the effort.

Food security issues were raised in most FAO meetings during the year. This reflected in part FAO's desire to expand significantly its role in food security policy formulation. In this respect, the Director General will present a major initiative to member countries during 1983. The United States acknowledges that the FAO is the premier technical UN agency involved in food policy and agricultural development but maintains that other aspects of food and agricultural development issues should be handled in the most appropriate

forum: trade issues in the GATT, overall coordination of food policies in the World Food Council, food aid issues in the World Food Program, wheat trade and reserve issues in the International Wheat Council, etc.

82ND COUNCIL

The Council session was relatively noncontroversial. One potentially major development was a Brazilian proposal that the Program and Finance Committee, as well as the Council itself, should engage in a more active and decision-oriented review of ongoing FAO programs. The proposal, which was strongly supported by the United States, was vigorously opposed by the Secretariat. The intent of the Brazilian proposal was to increase member countries' understanding and control of FAO's program activities.

The Secretariat also revived, on short notice, debate on Agricultural Adjustment Guidelines. Discussion on revision of the existing gidelines reached an impasse in 1981 and had since been dormant. The United States opposed Council discussion of the proposed revisions, especially in the absence of advance preparation, and declined to participate in a Contact Group charged with elaborating a compromise text. The Conference will be asked to consider the resulting text, which continues to contain disagreed language in several areas. The United States favors retaining the present guidelines.

A constant undercurrent in FAO meetings and in the U.S. relationship with the organization was U.S. opposition to the 1982–83 budget which was approved by the Conference in 1981 over the opposition of the major donors. The United States withheld payment of its 1982 assessment until late in the year to emphasize continued dissatisfaction with the increases included in the 1982–83 budget. The budget issue carried over into virtually all of FAO's meetings, with the United States maintaining steady pressure for strict budget economies. This policy strained U.S. relations with FAO management but appeared to offer the prospect of reduced growth as the 1984–85 budget was prepared. A better measure of the U.S. position's success will be the size of the draft budget to be released in the spring of 1983.

WORLD FOOD PROGRAM

Since it began operations in 1963, the World Food Program (WFP), sponsored jointly by the United Nations and the FAO, has specialized in using food aid for social and economic development and for emergency relief. The WFP's governing body, the Committee on Food Aid Policies and Programs (CFA), meets twice a year to review

developments in food aid policies and programs and to review WFP's projects.

The 1982 Pledging Conference for the 1983–84 biennium was held at UN Headquarters in March 1982. For the first time pledges were requested for the International Emergency Food Reserve (IEFR) as well as for regular WFP resources. Forty-nine governments pledged $680 million or 58% of the $1.2 billion target for regular resources agreed to at the 10th session of the CFA in October 1980. The United States, together with some other large donors (Netherlands, Italy, Belgium, and the United Kingdom), declined to pledge pending the resolution of some outstanding issues. IEFR pledges totaled 153,000 tons for 1982, 164,000 tones for 1983, and 165,000 tons for 1984.

The 13th session of the CFA in April 1982 opened with the swearing in ceremony of the newly selected Executive Director, James Charles Ingram (Australia). His inaugural speech stressed improving the development impact of WFP assistance. A public works irrigation project for Vietnam caused widespread controversy. The United States together with some other donors (Canada, Thailand, Federal Republic of Germany, the United Kingdom, Japan, and Argentina) strongly opposed the project on the principle that scarce development resources should not be utilized for countries which allocate much of their own resources for other than development purposes. In order to retain the practice of approval by consensus, the Vietnamese project was deferred indefinitely.

Most other CFA policy decisions scheduled for the 13th session were eventually deferred to the 15th session (May 1983) in order to give the new Executive Director time to determine his policy preferences. The experimental policy of grain sales to help meet WFP's obligation to pay 50% of inland transport costs in the poorest countries had been scheduled for review at the 13th session. A number of countries, including the United States, were concerned about the extension of this practice, without CFA approval, to two new projects in countries where experimental sales were a part of ongoing projects. Mr. Ingram agreed to conduct an extensive review of grain sales including the issues of market displacement and the impact of open market sales before the 15th session.

A very large project for Ethiopia was the focus of discussion about the broader issues of resource allocation and project selection. This $88 million 3-year project represented 30% of all development resources approved at the 13th session of the Committee and 35% of total Ethiopian wheat import needs. Once again the WFP agreed to conduct a thorough study of these issues before the 15th session, and the project in question was approved.

The proposal for a standing committee of permanent representatives to review emergency food allocations which was introduced during the 12th CFA session was further refined. The newer proposal

called for a small informal consultative committee to be established on an experimental basis and prepared to convene on 24 hours notice. No agreement was reached and this issue, together with those of commodity sales to urban residents, the application of unused IEFR funds to establish or replenish national food reserves, the counting of responses to special appeals as *ad hoc* contributions rather than as part of the IEFR, and other more minor questions, was deferred.

The United States announced its pledge for the 1983–84 biennium during the first day of the 14th CFA session in October 1982. This announcement was greeted with great appreciation, especially since the new pledge ($250 million) represents an increase of $30 million and 20% in the transportation component over the last pledge. The U.S. pledge together with that of the Dutch ($50 million) brought total pledges to over 80% of the $1.2 billion target established for the biennium. While not announcing a specific pledge to the IEFR, the United States did indicate that it would continue the strong support it has provided in the past and that its contribution would be substantial.

Another project for Vietnam was presented for approval. It was humanitarian in nature, directed toward mothers and children and emphasized providing commodities to a UNICEF weaning food factory previously approved by consensus. The United States and some others voiced strong opposition because of our belief that Vietnam continued to misallocate its own resources. Nevertheless, due to its humanitarian nature, the project received support from most other members of the CFA and was therefore allowed to proceed.

The Executive Director presented a reorganization plan which required a small addition to the administrative budget to support two new professional and three general service personnel. Despite the general commitment among donors to zero growth in international organizations, most countries stated that they approved of the small staffing increase as it was genuinely needed and because WFP has one of the best records in the UN system for efficiency. Consequently, a budget increase of $200,000 was overwhelmingly approved by the CFA for this purpose.

International Fund for Agricultural Development

The two most important developments for the International Fund for Agricultural Development (IFAD) during 1982 were the successful conclusion of first replenishment (IFAD-I) negotiations and the decision to begin discussions leading to a second replenishment (IFAD-II). The first replenishment, covering 1982–83 will provide $1.07 billion in new resources; $450 million from OPEC countries

and $620 million from OECD donors including $25 million in voluntary contributions. The agreement thus essentially preserves the basic OPEC/OECD burden sharing arrangement of the initial funding and provides strong continued OPEC support for the Fund. The agreement became effective in June 1982 with the deposit of instruments of contribution totaling over half the respective OPEC and OECD replenishment pledges. Congress appropriated $24 million for IFAD in fiscal year 1983, which will allow the United States to deposit its instrument of contribution and begin replenishment payments in 1983. The U.S. contribution is less than the $65.4 million requested by the Administration for fiscal year 1983 and has caused other donors to question U.S. support for IFAD. The Administration's fiscal year 1984 budget request for IFAD is $50 million.

The Sixth IFAD Governing Council in December 1982 agreed by consensus on a resolution calling for discussions leading to negotiations on a second replenishment. Discussions on IFAD-II will begin in July 1983. The level and timing of the next replenishment have not yet been determined. There is general agreement, however, that delays in IFAD-I payments will stretch out the first replenishment through 1984 and that IFAD-II cannot begin before 1985, at the earliest. The Council also accepted by consensus the membership applications of Belize, Suriname, and St. Vincent and the Grenadines bringing total membership to 139 countries.

Despite the uncertainties over replenishment, IFAD continued its lending activities during 1982 at about the same level as during previous years. Twenty-five projects were approved with a total value of $324 million, while grants totaled $20 million. Thirteen of the projects were IFAD-designed, of which seven were solely IFAD-financed. During its first 5 years IFAD has funded 114 projects totaling some $1.5 billion in 77 countries. Projects continue to focus on IFAD's small and landless farmer target group.

Particularly noteworthy was a credit project in Mali. Building on existing village social structures, the project will provide half the initial capital for some 160 village-controlled development funds. Villages will provide the remaining initial capital and will be allowed to borrow up to five times the fund's capital for projects requested by the village and approved by the project staff. Loans will be secured by the village as a whole. The credit component will be supplemented by farm extension services. By directly involving the village in project decisions and providing funds to the farmers themselves, the project encourages the village to initiate and support ongoing investment.

In another project in Turkey, cofinanced by the World Bank, IFAD will improve irrigation and provide seasonal and 3-to-5 year credit to isolated mountain villages. The project illustrates the catalytic effect of IFAD's revision of the original World Bank design—away from

infrastructure and toward the delivery directly to the farmers of simple, proven technological packages.

In general, IFAD's project design has stressed providing resources, particularly credit and extension services, directly to the poorest farmers. Relatively simple, proven technologies are generally preferred over elaborate design and extensive infrastructure.

During 1982, 47% of IFAD's loans were made on "highly" concessional terms of 1% interest (or service charge), 10 years grace period and 50 years repayment. Cumulative IFAD loans on highly concessional terms now represent 67% of the organization's portfolio, the level set out in the Fund's lending policies and criteria. Most of the remaining loans are on intermediate terms of 4% interest, 5 years grace period and 20 years repayment. Only a few loans have been made on ordinary terms of 8% interest, 3 years grace period and 15–18 years repayment. IFAD's lending policies and criteria have been under review but the Governing Council supported by the United States has be en unable to agree to a proposed modest hardening of the terms. This question was referred to the Executive Board for further consideration in light of the recent fall in interest rates.

Geographically, IFAD has given increased attention to Africa, which accounted for 30% of IFAD's projects in 1981–82, up from 21% in 1978–80. Asian countries now receive about 38% of IFAD's loans, with Latin America and the Near East receiving about 16% each.

UN Educational, Scientific, and Cultural Organization

With the addition of Antigua and Barbuda, Belize, and Bhutan, total membership in the United Nations Educational, Scientific, and Cultural Organization (UNESCO) grew to 158 full member states and one associate member (the British Eastern Caribbean Group).

The 45-member Executive Board held its 114th session April 21–May 21 and its 115th session August 30–October 8; both sessions took place in Paris. The Executive Board held an additional, special session in Paris, November 22–December 3, to coincide with the Organization's Fourth Extraordinary General Conference. Ambassador Jean Gerard headed the U.S. delegation to the three meetings of the Executive Board and to the Extraordinary General Conference.

Consideration of the Organization's draft Medium-Term Plan (1984–89) was dropped from the 114th Executive Board agenda due to lack of adequate documentation. Debate on the Plan was to have been the principal item of business. In its absence, attention focused on two Middle East resolutions, a resolution on budget techniques, and UNESCO's relationship with the Intergovernmental Board for Informatics (IBI).

A resolution on educational and cultural institutions in the occupied territories was adopted by a vote of 22 to 9 (U.S.), with 6 abstentions. The resolution condemned Israeli occupation of the Golan Heights; it was similar to previous UNESCO resolutions on the same subject and did not affect Israeli status in the Organization.

A second related resolution on Jerusalem, which was adopted by a vote of 23 to 8 (U.S.), with 4 abstentions, condemned Israel for continuing archeological excavations in Jerusalem and for ignoring previous UNESCO resolutions concerning the city.

The vote on budget techniques was 32 to 5 (U.S.). This resolution recommended abandonment of semi-full budgeting in favor of full budgeting methods. The United States has consistently advocated semi-full budgeting as more conducive to fiscal restraint.

Passed by consensus was a resolution which invited the UNESCO Director General to continue the study of the organization of the next Conference on Strategies and Policies for Informatics (SPIN II) and to consider the possibility of joint sponsorship of the Conference with the IBI. That Conference may have important implications for international data flow.

The 115th session of the Executive Board concentrated debate on the draft Medium-Term Plan prior to consideration by the Fourth Extraordinary General Conference in November and December. The United States proposed the growth rates in the Medium-Term Plan. The debate was useful for defining substantive issues, for recommending changes in the structure of the forthcoming biennial program budget document, and for setting forth working procedures of the General Conference.

Although no Middle East issues were on the original agenda, the Lebanon crisis led to two separate debates and three resolutions. The United States participated in the drafting of a text which it could support in the first of these debates. The resolution condemned the massacres in the Palestinian camps, their perpetrators, and those who permitted them. Similarly, the United States supported a second resolution calling for financial and technical assistance to Lebanon. The third resolution, which was highly politicized and referred to "Israeli aggression," was adopted by a vote of 36 to 2 (U.S.), with 1 abstention.

The Committee on Conventions and Recommendations (CR) also met twice, immediately prior to the Executive Board meetings, to consider alleged violations of human rights within UNESCO's fields of competence. Richard Schifter represented the United States at both sessions.

Most of the cases in the CR dealt with alleged violations of individual human rights by the U.S.S.R., Yugoslavia, Poland, Czechoslovakia, Bolivia, Paraguay, Chile, and Laos. The CR deferred until 1983 consideration of procedures for dealing with the "questions of

massive, systematic, or flagrant violations." Specific proceedings of the CR are confidential.

FOURTH EXTRAORDINARY GENERAL CONFERENCE

The Fourth Extraordinary General Conference met in Paris, November 23–December 3 to discuss the planning guidelines contained in the draft Medium-Term Plan for the period 1984–89. Delegations from the 158 member states attended the meeting. The U.S. delegation was headed by Ambassador Jean Gerard.

The Conference ended with consensus agreement on 24 separate resolutions, each of which expressed approval of the general line of emphasis proposed in each of the 13 major programs of the Plan, the introduction, and the 10 parts of the "program support" chapter. There was no umbrella resolution calling for approval of the Plan as a whole. The least controversial and most strongly supported aspects of the Plan dealt with natural sciences and education, with emphasis on operational as opposed to theoretical activities. The UNESCO Secretariat will draw on the Plan in proposing specific programs and biennial budgets through the end of the decade.

The sectors of the Plan on communications, human rights, and the budget were of particular interest to the United States, and are discussed below.

Communications

The United States and like-minded countries saw the General Conference as an opportunity to structure the communications chapter of the Plan in ways that would move UNESCO toward more moderate and practical communications activities. To this end, they were able to introduce dozens of changes in the text of the Plan which in large measure achieved this goal. The changes, approved by consensus, eliminated numerous potentially dangerous New World Information and Communications Order (NWICO) formulations and, for the first time, incorporated key free press concepts, such as the "watchdog" role of the media.

A major achievement was the explicit exclusion from the Plan of proposals contained in the MacBride Commission Report, with its potential for limiting press freedom and restricting journalistic activities.

The Plan is not entirely free of language the United States opposes. There is, for example, still an assertion that the international community needs to concern itself with "messages and what they say." If actual proposals or programs were to be developed within UNESCO on the basis of this concept, the result could open

the door to—or increase the justification for—state censorship. The United States will oppose any effort to translate this idea into actual programs in the future. We strongly reject any national or international effort to control the content of the media, and we have made this clear in UNESCO and in other United Nations bodies.

Human Rights

Chapter XIII of the Plan, which concerns peace and human rights, was initially drafted in a way to expand UNESCO's activities away from the traditional human rights we recognize in international instruments. However, during the Conference the United States made significant progress in bringing the approving resolution into line with U.S. values and interests. The equality of individual human rights and collective rights was eliminated, and it was decided that the concept of "peoples' rights" needs further study and clarification. Ambassador Gerard, in her statement on this chapter of the Plan, made it clear that the United States will closely monitor the manner in which the programs envisaged in this chapter are carried out.

Budget

There was no budget to adopt but the Conference approved for planning purposes a 4–6% range of real increase for the next biennium. The United States opposed any hypothetical growth rate for planning purposes beyond zero real growth. The United States was joined by 13 delegations in opposing the "target figure," while 19 countries abstained.

1982 SECTORAL OVERVIEW

Education

Approximately 40% of UNESCO's total program activities are in the field of education and range from basic literacy programs through scientific and technical education, to teacher training and education policy planning. Also included in this sector are the educational aspects of such major social concerns as improving the status of women, promoting human rights and physical education, and combating drug abuse.

The United States hosted an International Symposium on Physical Education and Sport Programs for the Physically and Mentally Handicapped at the University of Maryland, November 22–27. The

symposium attracted more than 150 participants representing some 50 countries. The symposium sought to focus worldwide attention on the importance of physical education and sports in enhancing the lives of handicapped and disabled persons.

The Governing Council of the UNESCO International Bureau of Education (IBE) held its 23rd session in Geneva, March 1–6. The United States was represented by Dr. Raymond Wanner, U.S. Education Attache to UNESCO, and Dr. Stewart Tinsman, Department of Education. The meeting focused on planning for the 1984 International Conference on Education, publication policies and distribution practices, and information sharing among member states.

The Finnish National Commission for UNESCO hosted March 8–11 in Espoo, Finland, a preparatory meeting for the UNESCO Intergovernmental Conference to Promote the Application of the Recommendation on Education for International Understanding, Cooperation, and Peace, and Education Relating to Human Rights and Fundamental Freedoms with a View to Developing a Climate of Opinion Favorable to the Strengthening of Security and Disarmament (Paris, April 12–20, 1983). Dr. Judith Torney-Purta, Professor of Human Development, University of Maryland, represented the United States at the meeting which was also attended by representatives of 26 national commissions of UNESCO's European region. The United States played a key role at the meeting whose purpose was to make recommendations on the organization, agenda, and working methods of the Conference.

Natural Sciences

UNESCO activities in the natural sciences are concentrated on efforts to increase the scientific and technological capabilities of developing countries. This is done through support of scientific, engineering, and technical education, and applied research programs. There are also extensive intergovernmental programs in geology, oceanography, hydrology, ecology, and scientific and technical information. The United States sits on the Governing Council of each of these organizations.

The 10th session of the Council of the International Geological Correlation Program (IGCP) was held in Paris, February 8–12. The meeting was preceded by a meeting of the IGCP Scientific Committee. John C. Maxwell, University of Texas, and A. W. Bally, Rice University, represented the United States at the meetings. The central concern of both meetings was IGCP program directions and priorities in light of the increased importance of the technical assistance and training components of the overall program.

The Intergovernmental Oceanographic Commission (IOC) held its 12th General Assembly in Paris, November 3–20, to which 110 IOC member states sent delegations. John Byrne, Administrator of the National Oceanic and Atmospheric Administration, headed the U.S. delegation and the United States was reelected to the Executive Council. A total of 22 resolutions were adopted by consensus regarding ocean science and service programs, organizational, and budgetary matters.

The United States offered to host the next meeting of the International Coordination Group for the Tsunami Warning System in Hawaii in 1984.

The 5th session of the Intergovernmental Council of the International Hydrological Program (IHP) met in Paris, November 8–15. Russell Langford of the U.S. Geological Survey headed the U.S. delegation. The major agenda item concerned preparations for the implementation of Phase III of the IHP which will run concurrently with UNESCO's 1984–89 Medium-Term Plan. The United States was active in drafting Phase III and initiated two of the proposed projects on acid rain and hazardous waste disposal.

The Bureau of the International Coordinating Council for the Man and the Biosphere program met June 24–25 in Paris. Donald King of the Department of State represented the United States. The meeting covered trends in the Man and the Biosphere program since the last meeting of the Coordinating Council in 1981. Of special interest was the development of activities for the conservation of natural resources, in particular the growing interface between the development of the Man and the Biosphere reserve network and the implementation of the World Heritage Convention.

The International Council of Scientific Unions (ICSU) and UNESCO established a new fellowship program for men and women of exceptional scientific ability who want to advance their knowledge in order to carry out basic research to meet national needs.

Social Sciences

The sector for social sciences and their applications is one of the smallest of the program sectors. It is also one of the most diverse and diffused, dealing (among other things) with the development of the social sciences, the study of development, socioeconomic analysis, environment, population, philosophy, and youth.

A round table on "Youth in the 80's" was held in Constinesti, Romania, May 31–June 6, as part of UNESCO's preparations for 1985 International Youth Year (IYY). There were 37 participants and 27 observers from all regions of the world. Professor Kenneth Keniston of MIT was an invited participant from the United States.

The U.S. Youth Council sent an observer also. The three themes of IYY—"Participation, Development, and Peace"—provided a framework for the discussions. The final report of the meeting contained a number of recommendations concerning the improvement of the status of youth and addressing problems faced by modern youth.

Copyright

UNESCO 1982 copyright activities of interest to the United States centered principally on the "Committee of Governmental Experts on the Intellectual Property Aspects of the Protection of Folklore," sponsored jointly with WIPO, which met in Geneva, June 28 –July 2, 1982. Also of interest were the Subcommittees on "Television by Cable" of the Intergovernmental Committee of the Universal Copyright Convention, the Executive Committee of the Berne Union, and the Intergovernmental Committee on the Rome Convention which met in Paris, December 13–17, 1982.

The committee on the "Protection of Folklore" considered model provisions designed to assist countries in establishing national systems for the protection and preservation of folklore.

The subcommittee on "Television by Cable" considered the establishment of an international consensus on the uses of program material by Cable systems and the development of model laws embodying, insofar as possible, provisions acceptable to all countries. The United States participated in these discussions to promote the adoption of provisions which would give the best possible protection to the interests of program material suppliers. No final conclusions have been reached, and the discussions will continue.

Culture

An international campaign was launched under UNESCO auspices to set up new museums in Cairo to house ancient Egyptian artifacts and in Aswan for Nubian treasures. The United States is a member of the Executive Committee of the International Campaign for the Establishment of the Nubia Museum and the new National Museum of Egyptian Antiquities. The Committee held its second meeting in March.

A contribution of $960,000 in equivalent Pakistani rupees was made by the United States to the UNESCO Trust Fund for the Preservation of Moenjodaro, Pakistan. Since this Bronze Age city was rediscovered in 1922, it has been threatened by rapid deterioration. UNESCO launched an appeal for contributions to an international preservation campaign in 1974. The United States is repre-

sented on the Executive Committee for the Safeguarding of Moenjodaro which held its third meeting in October.

The Sixth session of the 21-member World Heritage Committee (WHC) was held December 13–17 in Paris. The U.S. nomination of the Cahokia Mounds State Historic Site, Illinois, was inscribed on the World Heritage List. The Committee also formally inscribed Jerusalem, "the Old City and Its Walls," on the World Heritage in Danger List by a vote of 14 to 1 (U.S.), with 5 abstentions. The nomination was made by Jordan, and opposed by the United States. The United States reiterated its stand of the previous year. It does not dispute the international cultural significance of the Old City, but the nomination was inconsistent with several key articles of the World Heritage Convention, particularly that article which states that nominations may be submitted only by a state in whose territory the site is located. Nomination by a state of a site not situated within its territory sets a precedent which could activate innumerable disputed claims to sovereignty with highly political consequences.

The Second World Conference on Cultural Policies was held in Mexico City, July 25–August 6. The United States sent a high-level delegation headed by Ambassador Jean Gerard. The Conference adopted by consensus nearly 200 recommendations and a Declaration of Mexico City. The United States was successful is asserting U.S. cultural values and interests on all major Conference issues, including communications. The Declaration of Mexico City specifically endorsed the free flow of information.

The Conference discussed several themes directly affecting the interests of the mass media, including the role of the media in determining cultural identity and the dominant position of Western cultural industries. There was considerable potential for anti-free world and anti-free press resolutions. However, the Conference took no action inimical to a free press, and its main expression on the issue was a resolution introduced by the United States which specifically endorses the free flow of information.

Communications

The communications sector, although small in terms of its total budget ($6.5 million), was among the most dynamic of UNESCO's five sectors during 1982. Four major conferences were held on or involving communications issues, and both substantive and atmospheric changes were apparent in the way UNESCO is approaching these issues.

Of particular interest were signs of continued movement away from confrontation with the United States over the issue of press freedom. Nevertheless, there were still no grounds for complacency.

Much remains in UNESCO's programs with which the United States disagrees.

The United States took the lead at the four conferences to promote a free press and practical, nonpolitical communications development activities and to oppose continued study of proposals relating to licensing of journalists, international codes of journalistic ethics, and the content of the media. The United States regards such proposals as incompatible with its fundamental free press principles, and will not compromise where these principles are concerned.

The Department of State Authorization Act (Public Law 97–2411) signed on August 24, 1982, included a landmark demonstration of U.S. determination to protect its free press interests in UNESCO with whatever means are necessary. Section 108 of the Act calls for a report to the Congress evaluating U.S. participation in UNESCO and assessing UNESCO programs and activities, especially in the communications sector, in light of the national interests of the United States. Section 109 calls for an annual report to the Congress on whether UNESCO is implementing any policy or procedure the effect of which is to restrict press freedom. If UNESCO is found to be implementing such policies or procedures, the United States will withhold all funding from the Organization. Undoubtedly, the Act helped to persuade member states and Secretariat officials that further active pursuit of controversial media initiatives was in no one's interest.

The International Program for the Development of Communication (IPDC) was established at the 1980 UNESCO General Conference, withU.S. encouragement, as a place to exchange information about the communications needs of developing countries and to mobilize voluntary assistance to help meet these needs. The United States is one of 35 members of the IPDC Intergovernmental Council.

Two meetings of the Council in 1982 demonstrated that the IPDC is functioning largely as it was intended, i.e., as a practical, nonpolitical alternative to ideological debates. The consensus principle was preserved, and a program director was hired to implement Council decisions. The United States was elected to the Executive Committee of the Council, giving it greater opportunities for day-to-day influence.

The Council, meeting January 18–25, at Acapulco, Mexico, approved the expenditure of $910,000 for 15 regional and interregional training and equipment projects. The money was contributed by member states on a voluntary basis; no United States funds were involved. The United States announced at the meeting that it was reprograming $100,000 in existing Agency for International Development (AID) funds for bilateral activities drawn from the list of IPDC-approved projects.

At the meeting held in Paris December 13–20, 1982, the Council approved a budget of approximately $1.6 million, also made up of

voluntary contributions, for continued work on 11 previously-approved projects and to start 22 new projects. The United States announced that AID was making available an additional $100,000 for bilateral purposes and that the United States Information Agency (USIA) was contributing $350,000 for educational exchanges, in the form of funds-in-trust.

The funds-in-trust demonstrated that the United States intended to continue playing a leadership role in the IPDC. They had a strong impact and were a major factor in U.S. ability to protect its political investment in the new body.

The United States and like-minded countries made good use of an opportunity at UNESCO's Fourth Extraordinary General Conference at Paris November 23–December 3, 1982, to influence UNESCO communications activities over much of the rest of the decade (1984–89). A planning document, known as the Second Medium-Term Plan, was adopted with many changes eliminating potentially dangerous formulations associated with a New World Information and Communication Order. The General Conference also added language recognizing that "censorship and self-censorship" restrict freedom of information; ruling out further consideration of certain ideas in the MacBride Commission Report on which there was no agreement; and broadening a goal of building "national press agencies" to include both public and private agencies.

Administrative and Budget

Budget-related topics received major attention during 1982. As noted above, the 114th UNESCO Executive Board took final action on a 1-year study of budget techniques, voting to recommend to the General Conference the adoption of fullbudgeting in place of the current system of semi-full budgeting. The United States and four other major contributors opposed the change because it will lead to significant budget increases. Under semi-full budgeting, inflationary cost increases are covered for only the first half of any given budget period; with fullbudgeting, such increases are funded for the entire period.

During the debate of the Medium-Term Plan for 1984–89 at the Fourth Extraordinary General Conference, the United States voted against a resolution, sponsored by G–77 members, calling for 4–6% growth rate for the 1984–85 biennium (2–3% per year). The United States, joined by 11 other delegations (mostly Western) voted against the target figure, and 19 (including the U.S.S.R. and its allies) abstained. This was the highest recorded opposition to budget increases by any UNESCO General Conference. Combined, the opposing and abstaining countries contribute over 85% of UNESCO's assessed budget.

U.S. NATIONAL COMMISSION FOR UNESCO

In accordance with Section 5 of Public Law 565 which specifically authorizes the National Commission to organize "special conferences of experts and consultants to consider specific matters relating to UNESCO," the U.S. National Commission for UNESCO, under the leadership of James B. Holderman, held a conference on the subject of "A Critical Assessment of U.S. Participation in UNESCO" at the University of South Carolina, June 1–3, 1982. The event marked the first time since 1970 that an overall assessment of U.S. participation in UNESCO had been undertaken by and for the American public. Assistant Secretary of State-Designate, Gregory Newell; U.S. Representative to UNESCO, Ambassador Jean Gerard; and UNESCO Director General Amadou-Mahtar M'Bow addressed the meeting of 93 experts representing the academic, business, and government communities. The conference centered around a basic policy paper entitled *The United States and UNESCO: Is the Past Prologue?*, prepared by the International Studies Association, and was conducted in two plenary and five working group sessions. The conference produced a unanimously adopted recommendation that the United States not only continue to remain a member of UNESCO but that the effectiveness of U.S. participation in the work of the Organization be increased.

As in the past, the Commission remained active in all spheres of UNESCO's competence. In the field of education, the Commission assumed leadership in organizing the first of a series of working group meetings of a 3-year, multinational study on the uses of technology in education. The joint study, which is being conducted under UNESCO's auspices in cooperation with 15 other countries from Eastern and Western Europe, will provide a much needed comprehensive view of how technology is developing and being applied to education within these countries. Representatives from a number of private American companies, including Control Data Corporation, Digital Equipment Corporation, and the Educational Testing Service as well as the U.S. Office of Technology Assessment and the National Institute of Education took part in the October meeting at the University of South Carolina.

In the field of natural sciences, the Commission continued for the ninth consecutive year to give priority emphasis to promoting the UNESCO Man and the Biosphere Program (US/MAB) in the United States. Its major accomplishments during the year were: a tropical forestry workshop, in Santa Lucia in May, that led to the establishment of an informal Caribbean forester's association and to an AID contract to finance a series of 3-month forestry courses in San Juan,

Puerto Rico; an international symposium in August in Washington, D.C., on the Application of Genetics to the Management of Wild Plant and Animal Populations that contributed to the understanding within the conservation and resource management community of the newest developments in genetics; a conference in September in Asilomar, California, on Impacts of Limited Water for Agriculture in the Arid West that brought planners, scientists, politicians, and bankers together to examine urgent problems of water resource needs; the establishment, as a result of an international meeting in Edmonton, Canada, in October, of a northern science network involving research cooperation between 6 countries involved in the arctic region; and the establishment of 2 UNESCO biosphere reserves at Guanica State Forest in Puerto Rico and at Big Thicket National Preserve in Texas for a total of 37 in the United States. The Commission also organized, in cooperation with the National Academy of Sciences, a meeting of the UNESCO European Experts Committee on Biophysics at Johns Hopkins University, Baltimore, Maryland, May 31–June 3, in which some of the nation's most eminent biophysicists participated.

In the field of social sciences, the Commission took steps to strengthen the participation of the American social sciences community in UNESCO's international social sciences activities by organizing a series of planning sessions with the Canadian Commission for UNESCO leading to a UNESCO international symposium on the "Fundamental Problems and Challenges for the Social Sciences During the 1980's." The meeting will focus on the contribution of social sciences in North America to four major global problems of the distribution of wealth; arms race; population growth; and the revolutions in technology, communication, and information.

In the field of culture, the Commission organized, in cooperation with the Georgetown University Center for Strategic and International Studies, a 1-day consultation in June to analyze the major issues, strategies, principles, and initiatives connected with the UNESCO Second World Conference on Cultural Policy held in Mexico City July 25–August 6. The final report contained a number of ideas and suggestions that were incorporated into the U.S. position and into the final Declaration of Mexico City. The Commission continued its collaboration with the National Endowment for the Arts by hosting the third in a series of UNESCO joint study meetings with experts from the National Commissions of Canada, Sweden, and Finland to establish a framework for the comparability of cultural data in the fields of television, broadcasting, and cinema.

In the field of women's affairs, the Commission organized a planning session of some 20 non-governmental organizations to advise on preparations for the first International Conference on Research and Training Related to Women in Montreal, Canada, July

27–August 4, supported by UNESCO. The meeting established a rudimentary international network for research and information sharing about women's issues.

In addition, the Commission: advised the Department of State on multiple aspects of the draft UNESCO Medium-Term Plan for 1984–89 in preparation for the spring UNESCO Executive Board session and the Fourth Extraordinary UNESCO General Conference session; assisted the National Council of Social Studies to produce a special publication on international human rights education based in part on the UNESCO recommendation on international understanding and peace entitled *International Human Rights, Society, and the Schools* for distribution to its 17,000 members; continued to issue periodic media memoranda on UNESCO international communications developments for the benefit of leading American specialists in the communications industry; produced three issues of a *Chair's Letter* informing its membership on current US/UNESCO developments; and further expanded its distribution of two Commission publications: *Cultural Policy: UNESCO's First Cultural Development Decade* and *Toward an American Agenda for a New World Order of Communications.*

World Intellectual Property Organization

The World Intellectual Property Organization (WIPO) was established by a convention signed at Stockholm in 1967 which entered into force on April 26, 1970. The United States is a party to the Convention. WIPO is the principal worldwide organization responsible for promoting the protection of intellectual property which comprises two elements: copyrights (mainly literary and artistic works) and industrial property (mainly patents on inventions, trademarks, and industrial designs). WIPO is also responsible for the administration of some 15 intergovernmental "Unions," each founded on a multilateral treaty. The two principal treaties are the 1883 Paris Convention for the Protection of Industrial Property, which has 92 parties, and the 1886 Berne Convention for the Protection of Literary and Artistic Works, which has 74 parties. The United States is a party to the former Convention, but not the latter.

Membership in WIPO is open to any member state of the Paris or Berne Unions, or of the United Nations or its specialized agencies, or which is invited to become a member by the WIPO General Assembly.

Administrative Organization

The Paris and Berne Conventions had provided for an international bureau to serve as Secretariat for each respective Union.

These were united in 1893, eventually under the name of the United International Bureaux for the Protection of Intellectual Property (BIRPI). Although BIRPI still has a legal existence for states that are members of one of the Unions but not of WIPO, in practice it has been supplanted by the International Bureau established by the Stockholm Convention to be the Secretariat of WIPO. WIPO became a specialized agency of the United Nations in 1974.

The International Bureau operates under the direction of WIPO member states through a General Assembly and a Conference which meets biennially. The principal administrative organ of the Paris and Berne Unions is the Assembly of each Union, consisting of all the member states. The Paris and Berne Unions elect Executive Committees from among their member states and joint membership of these two committees constitutes WIPO's Coordination Committee which meets annually and is entrusted with the normal tasks of such a governing body, especially the implementation of the biennial program and budget of WIPO.

One of two basic objectives of WIPO is to promote the protection of intellectual property on a worldwide basis. In support of this objective, WIPO encourages the conclusion of new international treaties and the harmonization of national laws; it gives legal-technical assistance to developing countries; it assembles and disseminates information on intellectual property; it maintains international registration services in the fields of trademarks, industrial designs, and appellations of origin; and it performs the administrative tasks for an international patent filing arrangement.

The second basic objective of WIPO is to ensure administrative cooperation among the Unions. Centralizing the administration of the various Unions in the International Bureau helps ensure economy both for the member states and for the private sector concerned with intellectual property.

Technical Activities

The Permanent Committee for Patent Information (PCPI), established in 1977, coordinates all technical activities which previously were being undertaken by separate bodies in regard to revision of the International Patent Classification under the Strasbourg Agreement, the activities of the Paris Union Committee for International Cooperation in Information Retrieval Among Patent Offices (ICIREPAT), certain technical activities under the patent Cooperation Treaty, and various other existing or planned technical activities related to patent information.

During 1982 the United States continued to participate in the publishing preparations of the fourth edition of International Patent

Classification, and in measures adopted to ensure the smooth working of the Patent Cooperation Committee under its procedures.

Assistance to Developing Countries

Activities of WIPO in the field of development cooperation with respect to developing countries continued in 1982 under the direction of two committees composed of developed and developing countries: the WIPO Permanent Committee for Development Cooperation Related to Industrial Property and the WIPO Permanent Committee for Development Cooperation Related to Copyrights and Neighboring Rights. The United States participated in both of these committees and supported most of the numerous and varied activities.

During 1982 WIPO continued to provide traineeships in the fields of industrial property and copyright to developing country officials. The U.S. Patent and Trademark Office participated by providing training to a number of developing country nationals in the industrial property field.

Revision of the Paris Convention

In 1982 the United States continued its active participation in the revision of the Paris Convention for the Protection of Industrial Property, the most important multilateral treaty in this field. The first session of the Diplomatic Conference was held in February–March 1980 in Geneva. The Conference became bogged down in attempting to resolve the question of the voting majority for adoption of a revised text of the Paris Convention. Following an almost 1-month discussion, voting rules were adopted over U.S. objection in the concluding days of the Conference.

The developing countries, supported by the Socialist countries, had announced they wanted a two-thirds majority for adoption of the revised text of the Paris Convention. The final adopted compromise, with the United States the only dissenter, called for the final text to be adopted by consensus, that is, without objection; but, if no consensus were reached, a two-thirds majority would be sufficient, provided no more than 12 members voted against. The United States protested the adoption of this rule by less than a unanimous vote and formally reserved its legal right to challenge the validity of any substantive action under the Rules of Procedure, particularly the adoption of a revised text, by less than a consensus.

In the final plenary session on March 4, 1980, the Conference adopted a decision which requested a special meeting of the Paris Union Assembly in September, at the same time that other WIPO

Administrative Bodies were scheduled to meet, to make arrangements for a continuation of the Diplomatic Conference at the earliest possible date in 1981. The Paris Union Assembly, in an extraordinary session in September 1980, agreed that the second session of the Diplomatic Conference would be held in Nairobi in the latter part of 1981 and that an enlarged contact group meeting would be held in spring 1981 to attempt to resolve two major substantive issues prior to the second session of the Diplomatic Conference. In the enlarged contact group meeting of 10 members from each of the 3 regional groups, 1 week of discussion was held on each of 2 substantive topics with no further agreement being achieved.

In the opening of the second session of the Diplomatic Conference, held in Nairobi in September–October 1981, the United States again noted its opposition to the adoption by less than a unanimous vote, of a voting rule providing for less than a unanimous vote to adopt a revised text which evolved.

Almost all of the second session was spent attempting to resolve the issues regarding sanctions for not working a patented invention in a given country. The G–77 wanted to have greater discretion in the nature of the sanctions developing countries could apply and they wanted developing countries to be able to apply the sanctions sooner. The industrialized countries preferred limiting the sanctions which were available and giving inventors more time to manufacture their inventions before sanctions could be applied. Although some industrialized countries felt that any relaxation in the nature of sanctions or in time limits should be available to any country and not only developing countries, the majority felt that any relaxation in existing requirements should be available only to developing countries. At the conclusion of the 4-week session a revised text on the sanction matter alone was informally agreed to with only the United States objecting. The U.S. objection was directed primarily against the confiscatory nature of two sanctions which a developing country could apply for situations involving the nonworking of a patented invention. Further discussion on this matter, as well as on other matters which were only summarily discussed in the second session, was deferred to the third session, which was held in fall 1982.

The third session was held for 4 weeks in October and 1 week in November 1982. By general agreement the contentious issue of sanctions for failure to work a patent was not on the agenda. The third session concentrated in its first 4 weeks on trademark issues having to do with the use of geographical names to identify products. In view of strong European positions on these issues, it was not possible to reach final agreements on them. During the last week of the third session, continued discussions on ways of resolving the problem of sanctions for nonworking of patents were held with the expectation that they would be continued in a fourth session of the Conference scheduled for early 1984.

Patent Cooperation Treaty

A total of 32 countries had ratified or adhered to the Patent Cooperation Treaty (PCT) by the end of 1982.

Under the PCT, U.S. citizens and residents may file an international patent application with the U.S. Patent and Trademark Office in Washington. The effect of the international application is the same as if national applications had been concurrently filed with national Patent Offices (including the European Patent Office) of those countries party to the PCT which the applicant designates. The international application is then subjected to a search of a prior art by the U.S. Patent and Trademark Office, and the applicant then decides, on the basis of the international search report, whether it is worthwhile to pursue application in the various countries designated. National procedures in such countries are delayed until 20 months after the priority date, unless the applicant asks for an earlier start.

An international application may be a first application or it may be a subsequent application invoking the priority of an application previously filed with the national office of a country party to the Paris Convention or with the European Patent Office. Where protection is sought in any country party to both the PCT and the European Patent Convention, the applicant may generally seek protection under the national law of that country or under the European Patent Convention.

Protection of the Olympic Symbol

In a 2-day Diplomatic Conference in September 1981, a Nairobi Treaty on the Protection of the Olympic Symbol was agreed to and signed on behalf of 21 countries. The United States, in the final vote on the instrument, which required a two-thirds vote for approval, voted against adoption primarily because the treaty erodes the ability of the U.S. Olympic Committee to retain licensing revenues for use of the U.S. Olympic teams.

World Health Organization

The World Health Organization (WHO) in 1982 continued work to define and implement its goal of "health for all by the year 2000" and adopted a new 6-year plan to cover the years 1984–89. Through extended discussions with the pharmaceutical industry, new efforts were made to foster collaboration between industry, national govern-

ments, and WHO in implementation of a new Action Program on Essential Drugs. The World Health Assembly, meeting in May, once again deferred action on transferring the regional office for the Eastern Mediterranean region out of Egypt to another country in that region. The Assembly also averted a serious political confrontation by deciding against adoption of language in a draft resolution that would have had the effect of suspending Israeli participation, after the U.S. delegation threatened to walk out. Bhutan became a member of WHO in 1982, bringing the total WHO membership to 158, with one associate member (Namibia).

The Honorable Richard Schweiker, Secretary of Health and Human Services, led the U.S. delegation to the 35th World Health Assembly, held in Geneva on May 3–14, 1982. Other senior officials on the delegation were Dr. Edward N. Brandt, Jr., Assistant Secretary for Health; Dr. C. Everett Koop, Surgeon General of the U.S. Public Health Service; Dr. Arthur Hull Hayes, Jr., Commissioner of the Food and Drug Administration; and Dr. William Mayer, Administrator of the Alcohol, Drug Abuse, and Mental Health Administration. In an experiment strongly supported by the United States, the Assembly was conducted within a 2-week time-frame, rather than its customary 3 weeks.

Secretary Schweiker addressed the Assembly, providing strong support for WHO's "health for all" initiatives. He also introduced a proposal, developed by the U.S. Centers for Disease Control, for a Global Epidemic Investigation System to be organized by WHO. Resources for the program would come primarily from participating countries. The Secretary also met with WHO's Director General, Dr. Halfdan Mahler of Denmark; conducted a meeting with a leader of the U.S. pharmaceutical industry and WHO staff dealing with pharmaceuticals; received briefings on WHO's programs in immunization, diarrheal diseases, and human reproduction (all led by U.S. citizens); and met with health ministers from a number of other nations.

During 1982 the United States sent a delegation to the 3-week January meeting of WHO's 30-member Executive Board. Dr. Brandt, who is the U.S. member of the Board, also attended the meeting of the Board's 9-member Program Committee in October, and two meetings of the Board's Committee on Drug Policy.

U.S. delegates also participated in the June meeting of the 9-member Executive Committee of the Pan American Health Organization (PAHO), which serves as WHO's regional committee for the Americas, and in the September meeting of the 21st Pan American Sanitary Conference, the supreme governing body of PAHO; both meetings were held in Washington. The Sanitary Conference admitted 2 new members (Antigua and Barbuda, and Belize), bringing the total PAHO membership to 37, and elected Dr. Carlyle Guerra de

Macedo of Brazil to a 4-year term as the new PAHO Director, beginning February 1, 1983; he succeeds Dr. Hector Acuna of Mexico. The United States also sent a delegation to the September meeting of the WHO regional committee for the Western Pacific, held in Manila, the Philippines, and an observer to the September meeting of the WHO regional committee for Europe, held in Copenhagen, Denmark. Dr. Gregory T. O'Conor, Director of the International Affairs for the National Cancer Institute, headed the U.S. delegation to the regular annual meeting of the Governing Council of WHO's International Agency for Research on Cancer (IARC), in Lyon, France, and as Chairman of the Council presided over that meeting.

HEALTH GOALS

The Assembly adopted a new "plan of action" for implementation of the global strategy of attaining "health for all by the year 2000." The resolution, supported by the U.S. delegation and adopted unanimously, called for specific action by the Director General of WHO, the six regional committees, and WHO member countries in order to hasten progress toward achievement of this broad goal. The resolution also asked the Director General to take the action requested of him by the UN General Assembly in resolution 36/43 to ensure collaboration of the entire UN system in this effort.

The new 6-year plan adopted by the Assembly, entitled "Seventh General Program of Work," covers the years 1984–89 and will form the basis for the next three biennial program budgets. It is intended to serve as the basic guidance for steps toward "health for all by the year 2000." It focuses WHO activity into four basic categories: (1) health system infrastructure, encompassing the organization and development of health systems, as well as health manpower; (2) health science and technology, encompassing specific program activity relating to disease prevention and control, promotion of maternal and child health and that of other population groups, as well as research promotion; (3) WHO direction and management, including the roles of the World Health Assembly and Executive Board; and (4) health information support and administrative support to other WHO structures. The 1984–85 program budget will be based upon a new program classification system adopted under this new plan.

Regarding international efforts relating to cancer, the Assembly adopted a resolution approving recommendations of the Program Committee for continued coordination between WHO, the IARC in Lyon, France, and various national and private organizations active in the same field.

WHO's highly regarded Expanded Program on Immunization was praised by Assembly members. However, the Assembly expressed

concern about apparent flagging efforts in member countries to ensure that immunizations against six major childhood diseases are available to all children by 1990, and adopted a resolution urging greater national attention to this activity.

Alcoholism and alcohol abuse were the focus of 2 days of technical discussions at the Assembly. U.S. Representatives were led by Dr. William Mayer, head of the Alcohol, Drug Abuse, and Mental Health Administration of the Department of Health and Human Services. The United States also cosponsored a Tanzanian resolution drawing attention to possible health hazards and environmental dangers of water resources development projects.

RELATIONS WITH INDUSTRY

A representative of the International Federation of Pharmaceutical Manufacturers Associations (IFPMA) addressed the January meeting of the WHO Executive Board regarding both the IFPMA interest in WHO's Action Program on Essential Drugs, its concern about various aspects of the program, and about reports of proposals that WHO develop a code of marketing practices regarding pharmaceuticals. WHO Director General Mahler welcomed the interest of the industry and initiated a new dialogue in which both industry and WHO representatives could frankly discuss their problems as well as advance efforts to provide essential drugs to the poorest countries at lowest possible cost. He endorsed the U.S. view that it would be counterproductive to WHO's interest in securing cooperation of the industry on the essential drugs program if WHO should in any way embark upon a new code.

Several meetings between WHO and industry were developed in the course of the year. Director General Mahler spoke to the IFPMA Assembly, held in Washington in June, and was generally believed to have allayed fears of any WHO effort to attempt to regulate the industry and to have stimulated interest in the Action Program on Essential Drugs. The World Health Assembly in May adopted a resolution endorsing the action program and the Executive Board's *ad hoc* Committee on drug policy continued its efforts to strengthen the program and hasten progress regarding the provision of drugs.

The 1982 Assembly also gave WHO authority to take out patents on products of research undertaken with WHO resources. The purpose was to ensure that important technical developments, particularly in the fields of human reproduction and tropical diseases, would be made available for public use rather than lie unutilized for lack of public patents. The new patent policy was ultimately adopted by a vote of 87 (U.S.) to 0, with 4 abstentions. The United States supported the policy but made clear its view that the new authority was to be used sparingly. The resolution requested the

Director General to report on a regular basis regarding use of the authority to the Executive Board and the Assembly.

The infant formula code adopted by the World Health Assembly in 1981 was the subject of renewed discussion in 1982. Considerable debate focused on a draft resolution which many delegates felt made unwarranted judgments about the WHO Secretariat's work on this issue and prematurely drew conclusions about the use of the code. The United States was involved in private discussions and revision of the draft resolution. Ultimately, the delegation joined in the consensus support of the resolution, but said it had reservations about the language in various parts of the text. In the United States, language related to the code was included in the Department of State Authorization Act covering fiscal years 1982 and 1983 (P.L. 97–241), which was signed into law on August 24, 1982. In Section 504, a conference committee had substituted new language for that previously adopted separately by the House and Senate (discussed in *U.S. Participation in the UN, 1981*, page 240). In the new language, the Congress "expresses strong support for the promotion by the United States of sound infant feeding practices, and continues to be concerned with the sole negative vote cast by the United States" against the code. The language also urged the President and the U.S. infant formula manufacturers to reexamine industry and U.S. positions regarding the code.

In September, the United States supplied a report to WHO, as requested of all member nations, regarding any steps taken in regard to issues raised by the infant formula code. This report noted that the U.S. Government had formally transmitted the code to U.S. manufacturers of infant formula, feeding bottles, and nipples, along with U.S. Government perspectives on the code, and that the Department of Health and Human Services had established two task forces to address issues raised by the code in the U.S. domestic context. The U.S. transmittal of this report recommended that there be no effort to revise the code during 1983 as envisioned in the resolution by which the code was adopted in 1981; the transmittal argued that an effort to revise the code would unwisely reopen the extensive controversy that surrounded the code at the time of its adoption and generally not lead to constructive action. The WHO document issued later in the year showed that the Director General believed it inappropriate for a new effort to be undertaken to revise the code; he argued that, in light of only very brief national experience with the code, it would be premature to consider revising it.

The WHO compilation of national reports showed that in general a number of governments had implemented legislation, regulations, or policies placing certain limitations on infant formula marketing practices, but that many of these had predated the adoption of the code. No country reported that it had adopted legislation implement-

ing the code in its entirety; however, since the code was entirely voluntary none was expected to do so.

In one other development during 1982, the Executive Board in January postponed for the second consecutive year action on the application of the International Council of Infant Formula Industries (ICIFI) to obtain official non-governmental organization status with WHO, arguing that more time was needed to assess the work of the industry in relation to the code.

ADMINISTRATION AND BUDGETARY ISSUES

Although no budget question was presented for decision during 1982, officials of the U.S. Government made numerous approaches to the WHO Secretariat to urge limitations on growth of the 1984–85 proposed budget, to be addressed by the Assembly in May 1983. Points about the need to restrict growth in UN system budgets were made in particular at meetings of the various WHO regional committees in September 1982.

In review of 1980–81 biennial financing, the Executive Board, in January, focused on the lateness of payments by member governments, in particular the United States. At the end of 1981, the United States was in arrears by $16.4 million in payment of its assessment. Because these arrearages and those of other countries totaled $32.8 million, WHO had had to deplete its total Working Capital Fund and borrow from other internal sources in order to carry out the full 1981 program. The Netherlands board member strongly attacked the announced U.S. policy of payment late in the calendar year and called for a study of the possibly imposing interest charges on countries that do not pay on time and of increasing the Working Capital Fund. The U.S. delegation objected to the proposal, but the new language in a Board resolution was adopted by a vote of 26 to 1 (U.S.), with 3 abstentions.

When the resolution came before the Health Assembly in May, the members from Sweden and the Netherlands criticized major donors that "pay late and impose burdens on the rest of the membership," forcing the Working Capital Fund to be exhausted and WHO to resort to internal borrowing. The U.S. delegation and others opposed the proposed studies, contending that "late fees" had already been studied by the UN system and rejected as impractical, and that the case for an increase in the Working Capital Fund had not been made. The delegation from Ghana then proposed deletion of the request for these studies from the Board's resolution, and that proposal was accepted without a vote.

The Assembly accepted a U.S. proposal regarding repairs of the eighth-floor cafeteria and restaurant at WHO Headquarters. Water

leakage from this facility had been found to be causing structural damage and a potentially dangerous situation. The Assembly was faced with a number of alternative solutions. An Executive Board Working Group, proposed in the form of a resolution, the construction of a new ground-level restaurant facility and conversion of the current eighth floor into new office space. The U.S. delegation argued that no new office space was necessary, that the view from the eighth floor was impressive and worth preserving, and that WHO should instead adopt a course of repairing the eighth floor and reinstalling the cafeteria and restaurant at that site, a task which was a less expensive option. The U.S. delegation introduced an amendment to the original resolution to provide for this course of action, and the amendment was accepted by a vote of 33 (U.S.) to 26, with 36 abstentions. The revised resolution, appropriating $2.6 million from miscellaneous income for this purpose, was then adopted by a vote of 51 (U.S.) to 10, with 36 abstentions.

Assembly delegates in general judged that the 2-week Assembly, reduced from the traditional 3 weeks, had been a success and that efforts should be made to limit meetings to that length each year. However, there was doubt whether in odd-numbered years, when the budget was under extended consideration, it would be possible to accomplish this, and a committee of the Executive Board was requested to study this issue in detail.

POLITICAL ISSUES

Delegations from Arab nations again expressed interest in curtailing participation by Israel in WHO, either by denying credentials to its Assembly delegation or by suspending its voting rights or program services under Article 7 of the WHO Constitution. As in the past, a study of "health conditions of the Arab population in the occupied Arab territories, including Palestine," requested on an annual basis by the Assembly, provided the focal point for debate.

There was no challenge to Israel's credentials at the Assembly, but a large number of Arab delegations, with Cuba as spokesman, introduced in one of the two main committees a long resolution harshly critical of Israel. The resolution contained a paragraph which the U.S. delegation interpreted as having the effect of invoking Article 7 of the Constitution and suspending Israeli voting rights and program services. U.S. Delegate, Dr. John Bryant, from the Department of Health and Human Services, made a statement to the committee including the following language:

> We believe the content (of this resolution) carries us into issues that are far outside the mandate and purpose of a specialized agency of the United Nations. Once again, we deplore the fact that such obviously political material is introduced into the deliberations of the Assembly. . . . My government strongly believes that

this resolution, which raised the possibility of depriving a member government of full participation in the affairs of the organization, treads on very dangerous ground.

Mr. Chairman, it is important that this Assembly be absolutely clear as to the steps the United States will take should the resolution be adopted in its current form. A decision by the World Health Assembly to commit itself to impose sanctions on Israel which would affect its rights as a member—and let there be no doubt that this is the meaning of paragraph 2, part I, of the draft resolution—would result in the United States walking out of the Assembly for an indefinite period. Moreover, my government would initiate a review of its future role in the World Health Organization, including our financial support and technical assistance.

Following the U.S. statement, the Chairman of the committee declared a recess "so that the members might digest what has just been said." When the debate resumed the next morning, the delegate from Cuba announced that the sponsors had agreed to delete the highly controversial paragraph. Western delegations, still opposed to the strong condemnatory language in other parts of the resolution, voted against the final text. The vote in the committee was 60 to 27 (U.S.), with 24 abstentions. In the plenary, Israel called for another vote, and the resolution was adopted 59 to 25 (U.S.), with 17 abstentions. Among other things, the resolution requested the Special Committee of Experts to continue its work and to report to the 1983 Assembly.

For the fourth consecutive year, leaders of Arab nations continued their efforts to move the WHO regional office for the Eastern Mediterranean region (EMRO) out of Alexandria, Egypt. The resolution introduced in 1982 called for the direct move of the EMRO office to Amman, Jordan. As in the past, a "counter-resolution" was introduced and was ultimately adopted. This resolution was introduced by the delegate from Swaziland and developed primarily by the United States and Egypt.

During debate in committee over the Swaziland draft resolution, the Arab states wanted a text which would have WHO establish a "sub-regional office," either in Amman or "in the region." However, other sponsors would agree only to language which authorized the Director General "to continue to take whatever action he considers necessary to ensure the smooth operation" of the health programs in the region, "including the setting up of any operational facilities he deems necessary." The Arab states said they could not accept language which did not provide specifically for a sub-regional office in the region, and insisted on a vote. The committee decided by a vote of 51 (U.S.) to 34, with 18 abstentions, to consider the issue by secret ballot. The Swaziland resolution was then approved by a vote of 57 to 37, with 21 abstentions in committee. The Arab states did not challenge the resolution in the plenary, and it was adopted without a vote.

In a related matter, the Executive Board in January 1982 approved the election of Dr. H. A. R. Al-Gezairy as the new regional

director for the Eastern Mediterranean region; he took office in September.

The Assembly also adopted several resolutions dealing with health issues in southern Africa. The U.S. delegation opposed politicized language in these resolutions. A resolution calling for health assistance to national liberation movements, which declared SWAPO to be the sole legitimate representative of the Namibian people, was approved by a vote of 72 to 2 (U.S.), with 16 abstentions in committee, adopted by a vote of 84 to 2 (U.S.), with 24 abstentions in plenary. A politically oriented resolution on assistance to frontline states was approved in committee by a vote of 83 to 1 (U.S.), with 6 abstentions; the U.S. delegation voiced objections but did not call for a vote in the plenary.

In a rare departure from its traditional nonpolitical stance, the Executive Board, in January, engaged in a 3-hour debate about the status of the World Medical Association (WMA) as an accredited nongovernmental organization. Several African members of the Board had argued that the WMA, which had been affiliated with WHO for 34 years, had taken action contrary to WHO principles when it readmitted as one of its affiliates the Medical Association of South Africa, which they charged endorsed and supported apartheid, and admitted the Medical Association of the Transkei. The U.S. delegate was the only member of the Board to object. Dr. John Bryant said that he and the U.S. Government abhorred apartheid but that the value of longstanding relations between WHO and the WMA was important to continue. The vote was 27 in favor of discontinuance of NGO relations to 1 opposed (U.S.), with 1 abstention (Japan). Board action on NGO status is not subject to the review of the Assembly.

PAN AMERICAN HEALTH ORGANIZATION

The quadrennial Pan American Sanitary Conference, held in Washington on September 20–29, was attended by ministers of health from most of the 37 PAHO member states. The major issue of the Conference was the election of the next Director. Dr. Carlyle Guerra de Macedo of Brazil, PAHO staff member for 12 years, and Dr. David Tejada of Peru, Assistant Director General of WHO, were the major candidates; the current PAHO Director, Dr. Hector Acuna of Mexico, had let it be known that he would be receptive to a third 4-year term if the membership agreed. The U.S. delegation, led by Dr. Edward Brandt, Assistant Secretary for Health of the Department of Health and Human Services, spoke in support of Dr. Tejada. However, Dr. Macedo was elected by secret ballot. Dr. Brandt then joined in support of the newly elected Director and said that the United States looked forward to working with Dr. Macedo.

The United States, Ecuador, and Cuba were elected to 3-year terms on the 9-member Executive Committee.

The Conference discussed the proposed PAHO share of the WHO budget for 1984–85 and "took note" of the proposal for a 15.5% increase in the allotment to PAHO. The U.S. delegation expressed concern about the size of this proposed increase and said that if the entire WHO budget increased by that amount, the United States would likely vote against the 1984–85 budget.

In June the PAHO Executive Committee adopted a Nicaragua-sponsored resolution that was critical of the United States for its embargo on the shipment of supplies to Cuba. The Nicaraguan delegate and the Cuban observer contended that the health of the Cuban people was being damaged by the embargo. The United States objected to this politicization of the Executive Committee and denied that the U.S. Government had refused export licenses for legitimate health supplies requested by PAHO on behalf of Cuba which were not readily available elsewhere. There were extensive efforts by PAHO staff and delegates to ensure that this issue was not pursued at the Sanitary Conference in September, and it did not arise again.

INTERNATIONAL AGENCY FOR RESEARCH ON CANCER

The annual 2-day meeting of the Governing Council of IARC was held in Lyon on April 29–30. Although no budget was to be decided upon at this meeting, discussion of the 1980–81 financial report led to admonitions from member states that continued program growth was inadvisable in the face of the global economic situation. The Council amended the rules regarding election of the Director of the Agency, in the light of dissatisfaction with those rules during the 1981 election of a new Director, Dr. Lorenzo Tomatis of Italy. Dr. Gregory T. O'Conor of the U.S. National Cancer Institute chaired the meeting and was reelected for a second year.

International Civil Aviation Organization

The membership of the International Civil Aviation Organization (ICAO) remained at 150 states in 1982.

ICAO COUNCIL

The Council serves as ICAO's executive body and is composed of 33 member nations. The United States has served continuously on the

ICAO Council as a state of chief importance in air transport. This Council, which holds three sessions a year, has a number of subordinate bodies that deal initially with ICAO's various fields of work. In 1982, the Council continued to perform one of its principal functions, the adoption of International Standards and Recommended Practices (SARPS), which had initially been reviewed by the Air Navigation Commission, the Air Transport Committee, or Committee on Unlawful Interference.

The Council adopted amendments to the SARPS in 12 of the 18 Annexes to the Convention. These included an amendment to Annex 3 (Meteorological Service for International Air Navigation) regarding the observation and reporting of low level wind shear and turbulence and an amendment to Annex 8 (Airworthiness) concerning the continuing airworthiness of aircraft.

Among other important functions performed by the Council was the reappointment in March of Yves Lambert of France as ICAO Secretary for a third 3-year term. Council also decided that the new ICAO regional office in Eastern Africa be located at Nairobi. Other action included adoption of the provisional agenda and preparation of the documentation for the 1983 triennial Assembly, the plenipotentiary body of ICAO. Council requested ICAO's Legal Committee to include in its General Work Program consideration of items regarding the "Convention on the Law of the Sea—Implications for the Chicago Convention, Annexes, and other international air law instruments."

A 1980 Assembly resolution called upon contracting states to become parties to the 1970 Hague Convention for the Suppression of Unlawful Seizure of Aircraft and the 1971 Montreal Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation and to forward all relevant information on occurrences of unlawful interference as required by these conventions to the Council. Consequently, in 1982 the Council received information from a number of states on the circumstances of the offenses, the disposition of the aircraft, crew, passengers, and cargo and the measures taken against the offenders. As a result of another issue raised at the 1980 Assembly, the Council adopted a resolution urging contracting states to provide assistance to hijacked aircraft, including provision of navigational aids, air traffic services and permission to land, as may be necessitated by the circumstances. The Council, which is responsible for the convening of all ICAO conferences and taking action on the recommendations of most of them, examined the work of the following ICAO's conferences after an initial examination by its appropriate subordinate body. All meetings were held at ICAO's Headquarters in Montreal.

FOURTH CONFERENCE ON 1956 DANISH AND ICELANDIC JOINT FINANCING AGREEMENTS

This Conference recommended that, beginning in 1983, user charges to civil aircraft operators over the North Atlantic and assessments against their governments should be based on estimated costs for each calendar year instead of on 2-year-old costs. The boundary line for counting aircraft using the air navigation facilities and services in Greenland and Iceland was changed from 40 to 45 degrees North, which coincided with the U.S. position. Other recommendations of the DEN/ICE Conference were the continuation in the two ICAO-sponsored joint financing agreements of some meteorological services not allocable to international civil aviation and allocating only 30% of the total meteorological costs to the international civil aviation interests. The Conference agreed to an Icelandic proposal to calculate the annual assessments of contracting governments in U.S. dollars instead of Icelandic kroner. Although a Danish proposal was approved calling for payment of assessments under the Danish Agreement in Danish kroner, the United States retained the right to pay in U.S. dollars.

As recommended by the United Kingdom at the February 16–26 Conference, the ICAO Secretariat subsequently prepared draft texts of two protocols of amendments to the two joint financing agreements incorporating changes recommended by all three DEN/ICE conferences held since 1956. The Council, after considering the comments of contracting governments on these drafts, convened a Preparatory Group on the Amendments of the DEN/ICE Agreements, which met August 23–27 to examine the texts. The U.S. Representatives in the group were successful in having their suggested changes incorporated in the draft protocols. The protocols were then opened for signature at the Conference for the Amendment of the 1956 Danish and Icelandic Joint Financing Agreements, November 1–3. No substantive changes were entered. The United States signed both protocols, which will be applied provisionally from January 1, 1983, pending their entry into force.

COMMUNICATION/METEOROLOGY DIVISIONAL MEETING

This worldwide ICAO conference on aeronautical communications and weather reporting was held jointly with the Commission for Aeronautical Meteorology of the World Meteorological Organization (WMO) at ICAO Headquarters April 14–May 7. It was attended by 63 governments, including the United States, and eight international organizations. General agreement was reached on the need for an ICAO body to supervise regional planning and coordination in the

development in the next decade of the worldwide aeronautical fixed telecommunication network (AFTN) over which pilots and ground personnel are provided data concerning flight operations, weather, and other important air navigation information. The meeting agreed to a plan to implement the new worldwide area forecast system recommended by the ICAO Area Forecast Panel. The new system is based on centralized production of forecasts for aviation in digital form at two designated world area forecast centers (London and Washington). In addition, there will be a number of regional area forecast centers to meet the needs of users in each region of the world. The meeting recommended that ICAO establish an *ad hoc* body to assist in planning the uniform implementation of the World Area Forecast System. Pending the capability to produce digitized significant weather forecasts, in world centers, which could be distributed by satellite broadcast, the conventional system will be applied and existing support telecommunications upgraded as necessary. The meeting also recommended improvements in the existing area forecast system, products, and dissemination arrangements.

AIR NAVIGATION PANELS

These panels of specialists in various technical fields are established and convened by the Air Navigation Commission rather than the Council. Among the six navigation panels which met in 1982 was the Personnel Licensing and Training Panel, which held its first meeting June 7–23. The 13 members nominated by ICAO member states, including the United States, and 3 representatives of international organizations began a comprehensive study of licensing and training to develop recommendation as for the Air Navigation Commission on the amendment of Annex 1 (Personnel Licensing).

The 9th Meeting of the All Weather Operations Panel, held November 23–December 8, resulted in the completion of draft SARPS and guidance material for the precision Distance Measuring Equipment (DME) element of the new Microwave Landing System (MLS). U.S. objectives for the Instrument Landing System (ILS) in use today and its projection date were also met.

PANEL OF EXPERTS ON THE REGULATION OF AIR TRANSPORT SERVICES

This *Ad Hoc* panel, at its sixth meeting March 8–9, completed its work on three of eight agreed steps in its study of international nonscheduled air transport. It identified what is included in the

concept of nonscheduled air services, the objectives of states in regulating such services, and the regulatory frameworks involved. This panel also decided that it was neither necessary nor appropriate to recommend amendment of Articles 5, 6, and 96 (a) of the Chicago Convention to reflect the principles governing both scheduled and nonscheduled international air transport on the basis of present and future characteristics and structure of the international air transport market. In response to an item presented by the panel members from Argentina, Brazil, and Venezuela, the panel agreed to inform ICAO's Air Transport Committee that should other organizations of the United Nations become engaged in issues imparting on air transport, these issues should be brought to the attention of ICAO for consideration and resolution. The U.S. panel member shared this concern over the potential proliferation of multilateral agencies involved in air transport matters. However, as an alternative to referring all problems to ICAO, he suggested that bilateral resolution between governments might be more effective.

International Maritime Organization

By amendment of its Convention, the Intergovernmental Maritime Consultative Organization changed its name to the International Maritime Organization (IMO) in May 1982. Nicaragua joined the Organization in 1982, bringing its membership to 122 full members and one associate member.

ORGANIZATION

Since its inception in 1958, IMO has had its headquarters in London. Its main objective is to facilitate cooperation among governments on technical matters affecting international shipping as a means of achieving the highest practicable standards of maritime safety and efficiency of navigation. The Organization has a special responsibility for safety at sea and for the protection of marine environment through prevention of pollution of the sea caused by ships and other craft. IMO also deals with legal matters connected with international shipping, with the facilitation of international maritime traffic, and serves as an executing agent for UNDP in providing technical assistance in maritime matters to developing countries.

IMO accomplishes its work through various forums; the Assembly, consisting of the full membership; the Council, with a membership of 24; the Maritime Safety Committee (MSC); the Marine Environment Protection Committee (MEPC); the Legal, Facilitation, and Technical Cooperation Committees; and various technical subcommittees of the MSC and the MEPC. Each committee consists of the full membership

of the Organization. Proposals initiated in subcommittees are referred for review to the appropriate committee, and proposals of the committees are reviewed by the Council and referred to the Assembly for final approval. Major conventions are elaborated and adopted by plenipotentiary conferences.

MARINE ENVIRONMENT PROTECTION COMMITTEE

The Marine Environment Protection Committee (MEPC) held its 17th session, June 21–25, 1982. As it appeared that the 1973 Convention for the Prevention of Pollution from Ships and its 1978 Protocol (MARPOL 73/78) would be ratified within months, the Committee concentrated on resolving items necessary for MARPOL implementation. This included approval of the final formats of the International Oil Pollution Prevention Certificate and Oil Record Book, as well as work on Control Procedures.

On October 2, 1982, the final requirements for ratification and acceptance of MARPOL 73/78 were met. The Convention will enter into force October 2, 1983. During 1982 IMO published a circular distributing proposed amendments and interpretations to MARPOL. The Committee had agreed at the 15th session, to accept ships built in conformance with these changes as being equivalent to the provisions of the Convention. This was considered necessary for effective Convention implementation. Formal amendment procedures will begin after the Convention enters into force and will probably result in entry into force of the amendments by late 1985. At MEPC's 18th session, which will meet March 22–25, 1983, efforts will be directed toward approving final implementation details of MARPOL, such as: Control Procedures, Survey Requirements, and Uniform Interpretations.

LEGAL COMMITTEE

The Legal Committee held three sessions in 1982: the 47th, February 22–26; the 48th, March 1–5; and the 49th, October 4–8. At its 47th session the Committee completed most of its work on draft articles for the proposed Convention on Liability and Compensation in Connection with the Carriage of Noxious and Hazardous Substances by Sea. The matters which remain concern: (1) the preparation of the "final clauses" to the draft Convention, (2) the determination of the situations in which the shipper will be required to maintain financial security to cover his liability under the draft Convention, and (3) the preparation of the Annex which will include the list of substances to be covered by the draft Convention. At this session the Committee also decided to defer the question on the preparation of draft articles on liability and compensation in connection with fire and explosion damage on board all tankers.

The Committee devoted its efforts at its 48th and 49th sessions to the consideration and preparation of draft instruments to revise the 1969 Civil Liability and 1971 Fund Conventions. Those Conventions concern liability and compensation relating to tanker-source oil pollution. The questions examined by the Legal Committee included: (1) the ships and oils to be covered by the revisions and their geographical scope, (2) the levels of liability limitation and other matters relating to the shipowner's liability, including an expeditious means of updating those limitation levels; and (3) the mechanism by which the revised instruments will replace those which are currently in force. During this session the Committee had before it draft articles prepared by an informal working group which met in London during June.

It is anticipated that the draft articles prepared by the Legal Committee (on the subjects addressed during these three sessions) will be submitted to a diplomatic conference devoted to these subjects to be held during the spring of 1984.

MARITIME SAFETY COMMITTEE

The Maritime Safety Committee (MSC) held its 46th session March 29–April 2, 1982, and its 47th session September 13–17, 1982. The United States was represented at both sessions and U.S. objectives generally were met.

At the 46th session, the United States agreed to a proposal to postpone considering the second set of amendments to the 1974 Safety of Life at Sea (SOLAS) Convention until the 47th session. The remainder of the 46th session was taken up with the routine business of the Committee.

The 47th session of the MSC was unique in its format, being predominantly a single issue meeting which addressed the second set of amendments. These amendments will substantially contribute to the safety of seafarers due to major advances in the Life Saving Appliances Chapter of the SOLAS Convention. The Committee is expected to meet again in June of 1983 to formally approve the amendments.

AD HOC WORKING GROUP ON THE ASSESSMENT OF CONTRIBUTIONS

The *Ad Hoc* Working Group on the Assessment of Contributions convened on November 10–12 just prior to the 49th Council meeting. The Group reviewed proposals from Romania, Panama, Liberia, the German Democratic Republic, and a compromise formula offered for discussion by the Group's Chairman. The Group soon reached consensus in support of utilizing a basic assessment derived from the

UN assessment scale to pay for 10% of IMO's annual budget. It thereafter agreed that the remaining 90% should be a tonnage assessment, based on each member's gross registered tonnage, as published each December by Lloyd's Register of Shipping.

The basic 10% assessment is divided into eight categories. The lowest or first category consists of members paying less than .06% of UN contributions and having merchant fleets of less than 50,000 tons. The remaining categories relate only to UN contributions. The eighth category contains only two states paying 10% or more of the UN budget, the United States and the U.S.S.R. The categories are plotted on a steep but smooth curve to assign basic payment units to each category to divide the basic 10% units into 2,707 units, each worth about $400 of the 1982 IMO budget of $10.8 million.

The remaining 90% of the assessment is based solely on members' gross registered tonnage. To ease the burden on the poorest members, each member's tonnage is reduced 50,000 gross registered tons. (This eliminates the tonnage assessment for 30 members.) This new formula works out to an assessment rate for the United States of 4.897%. The new assessment scale worked out by the Group was endorsed by the Council and forwarded to the Assembly for its consideration at its next session.

After an extensive discussion of problems caused by delay of assessment payments until late in the year and by delinquent payments, the Working Group recommended that the Secretary General write to late payers to inquire the reasons for delay and when payment can be expected, and that the Secretary General personally contact long-term delinquents to clarify their obligations and attempt to work out a payment plan.

COUNCIL

The United States, a member of IMO's 1981–83 Council, played an active role in the 48th and 49th regular Council sessions, held June 14–18 and November 15–19, 1982, respectively. (No Assembly was held during this time period.)

At the 48th session the U.S. policy of delaying payments to specialized agencies until the last quarter of the year was subjected to criticism. Other delegations argued that IMO is a financially responsible agency which should be excepted from this policy. The U.S. delegation pointed out that for many years the United States had financed what it considers to be excessive expansion of the UN system. It praised IMO for achieving financial surpluses in 1981 and suggested that these be applied to reduce members' assessments. The Council approved a plan introduced by the Secretary General for introducing Arabic as an official language, which envisages a gradual phase-in from the latter part of 1983 to 1987.

The Secretary General reported to Council that, although IMO-UNCTAD relations were very cordial, it appeared that UNCTAD's Shipping Committee was becoming involved in matters, such as technical standards, maritime fraud, liens and mortgages, arrest of ships and related matters, which have traditionally been handled by IMO. The Secretary General was authorized by the Council to consult with UNCTAD under the IMO-UNCTAD Memorandum of Understanding (which delineates their respective fields of activity) and requested him to report back to the next session of the Council.

The Secretary General reported, concerning the World Maritime University at Malmo, Sweden, that the Government of Sweden and the City of Malmo had agreed to provide the physical plant and maintenance costs. The Swedish Government will match up to $1 million raised by UNDP through its own sources or other financing. Annual operating costs are estimated to be $3.6 million. The U.S. delegation suggested that the Secretary General also appeal to the private sector. The Secretary General was appointed Chairman of the WMU Board of Governors by acclamation and was given broad authority to develop an adequate and representative board. It was evident during discussions that this project is highly valued by developing countries. The University is scheduled to open on July 1, 1983.

At the 49th session, the U.S. policy of delaying its payments to IMO continued to receive criticism from other developed countries. Council reduced the 1983 IMO budget by about $2.8 million to $12.7 million by recalculating the dollar/pound exchange rate at $1.77 to the pound and by lowering the anticipated inflation rate in England to 5%. The Secretary General proposed and Council approved a return of $1 million in surplus from the 1982 budget to members as a credit against their 1983 assessments.

The Secretary General reported that the 1979 amendments to the IMO Convention, which would enlarge the size of Council from 24 to 32 members, require 30 more ratifications by member states before they come into force. The U.S. delegation and the Council urged members which have not yet ratified to do so, in order that the amendments come into force before the next Assembly in November 1983, at which the next Council will be elected.

The Secretary General reported that despite his excellent rapport with the UNCTAD Secretariat, the UNCTAD Shipping Committee had voted to involve itself in legislative matters clearly under the jurisdiction of IMO. The U.S. delegation, with the support of the Federal Republic of Germany, the United Kingdom, the Netherlands, Japan, and Greece, indicated vigorous opposition to duplication of efforts by UN agencies and stressed that each organization should work within its terms of reference: matters of a technical nature should be handled by IMO and those of an economic or

commercial nature should be dealt with by UNCTAD. Council instructed the Secretary General to continue his efforts to maintain IMO's competence in maritime matters as he consulted with UNCTAD in delineating the responsibilities of the respective organizations.

International Telecommunication Union

During 1982 no countries acceded to the International Telecommunication Union (ITU) Convention. Total membership at the end of 1982 remained at 156 members.

ADMINISTRATIVE COUNCIL

The ITU Administrative Council of which the United States is a member, held its 37th session in Geneva from April 19 to May 7, 1982. Much of the substantive work was referred to the Plenipotentiary. The Administrative Council reviewed the provisional budget for 1983, and established a tentative schedule of future conferences for the period of 1983–88.

Despite cost-saving initiatives that restricted the growth in the provisional budget to a 5.07% increase over 1982, the United States reserved its position because nondiscretionary cost increases had not been totally absorbed.

In other action, the Administrative Council elected Mr. Y. Kurihara of Japan to fill a vacancy on the International Frequency Registration Board.

OTHER PERMANENT ORGANS

The permanent technical organs of the ITU—the International Radio Consultative Committee (CCIR), the International Telegraph and Telephone Consultative Committee (CCITT), and the International Frequency Registration Board (IFRB)—maintained active schedules in 1982.

The CCIR held its 15th plenary Assembly in Geneva from February 15–26, 1982, to approve technical and operating recommendations developed by CCIR Study Groups over the preceding 4 years. Additionally, the delegates approved a work program to guide the CCIR activities until the next plenary Assembly convenes in 1986. A U.S. citizen, Richard C. Kirby, was once again elected as Director of the CCIR. He was first elected to this position in 1974.

CCITT Study Groups continued to carry out the work program for the period 1980–84 that was established at the 7th plenary Assembly of the CCITT in 1980. The CCITT Study Groups are studying technical, operating, and tariff questions with respect to telegraph and telephone to develop recommendations that will largely govern operations of the world's telecommunications networks. Two items of particular interest are the Integrated Services Digital Network and Videotex. Recommendations developed by the CCITT Study Group will be reviewed at the 8th CCITT plenary Assembly in 1984.

The essential function of the IFRB is the technical examination and registration of radio frequency notifications, including those for space telecommunications systems, to ensure interference-free operations throughout the world. A new computer program, which will fully automate the IFRB's work progress, is being introduced over the next 8 years.

PLENIPOTENTIARY CONFERENCE

The International Telecommunication Union held its 12th Plenipotentiary Conference in Nairobi, Kenya, from September 28 to November 6, 1982. Over 1,000 delegates from 147 of the Union's 156 member states attended the Conference. Ambassador Michael R. Gardner led the 29-member U.S. delegation composed of advisors drawn both from government and the private sector.

The 1982 Plenipotentiary was the first meeting of ITU's supreme body since 1973. Its principal purposes were to establish the policies to guide the Union's activities until the next Plenipotentiary and to revise the International Telecommunication Convention. Specific duties included: (1) establishing the program of administrative conferences for revising the Administrative Regulations concerning telegraph, telephone, and radio services; (2) determining the 1983 budget and setting annual spending levels until the 1989 Plenipotentiary; (3) reviewing staff matters including the manning table, salaries, pensions, and conditions of service; and (4) electing officials.

POLITICAL

The debate on a resolution, sponsored by 19 members, that would have excluded Israel from the Plenipotentiary Conference and future ITU conferences and meetings consumed nearly 4 of the 6 weeks of the Nairobi meeting. Sponsors of this resolution argued that this sanction was appropriate in light of Israel's actions in Lebanon. Opponents maintained that such sanctions were illegal because the

ITU Convention does not provide for exclusion of a member state, would jeopardize the principle of universality of membership in the UN system, and the Plenipotentiary lacked the competence to take such action. On October 18 Ambassador Gardner stressed that the proposed sanction represented a blatant attack on the principles of universality and contributed nothing to the peace process in the Middle East. The Chairman warned that should the Conference exclude Israel the United States would take the following action: (a) U.S. delegation to leave Nairobi immediately; (b) suspend immediately all financial support to the ITU; and (c) reassess future U.S. involvement in the ITU.

As a tactical move, seven Western delegations introduced amendments to the original resolution. These amendments retained the condemnation of Israel for its actions in Lebanon but removed the exclusion provision. A series of secret votes on October 21 and 22 concluded the debate. The first vote was whether the compromise package of amendments was acceptable. The second was a vote to incorporate the amendments as the replacement for the original resolution, and the final vote was on the amended resolution. All three recommendations were adopted.

After the vote, Ambassador Gardner said that the Organization had just passed a grave test. It had defeated an attempt to violate the ITU Convention and the principles of non-politicization and of universality which were vital to the goals and purposes of the Union. He thanked those members whose help had led to the defeat of the attempts. He also observed that the initiative of Arab States to exclude Israel shed a sobering light on the value of their peaceful protestations. He went on to register the U.S. objections to the resolution by saying that it contained false accusations against Israel and made factual and legal determinations which were untrue and therefore had no legal basis.

An expected challenge to Israel's credentials failed to materialize.

SOUTHERN AFRICA

On November 5, by a vote of 69 to 26 (U.S.), with 4 abstentions, the Plenipotentiary Conference decided to continue South Africa's exclusion from ITU conferences and meetings in effect since the 1973 Plenipotentiary. The U.S. Representative, Kalmann Schaefer, noted that the United States opposed this resolution on the basis that it was inconsistent with the principles of universality, illegal under the 1973 Convention, and would have a hampering effect in promoting peaceful changes in Southern Africa. He reaffirmed that his Government's opposition to apartheid is firm, consistent, and unequivocal

and firmly committed to evolutionary change in South Africa. He further noted that "it is illegal and unwise to think that fair and equitable solutions can be found for the problems of that area if South Africa is denied its right to participate in this and other international fora."

The Plenipotentiary also voted to accept the Council of Namibia's application for membership in the Organization. Speaking on behalf of the Contact Group, on November 3, Mr. Schaefer pointed out that Namibia did not satisfy the criteria for being a sovereign country required for ITU membership and noted that the Contact Group [1] would welcome Namibia's membership when it becomes a sovereign, independent country.

On November 5, the Plenipotentiary reaffirmed resolution 29 passed at the 1973 Plenipotentiary Conference to authorize the attendance of liberation organizations recognized by the United Nations as observers at ITU meetings. The United States called for a vote on this resolution which was adopted 89 to 2 (U.S.), with 9 abstentions.

FREE FLOW OF INFORMATION

The United States and other Western countries combined forces to force Czechoslovakia to withdraw its proposal to legitimize the practice of jamming international broadcasts. The Plenipotentiary did reaffirm that members should facilitate the unrestricted transmission of news by telecommunication services.

ADMINISTRATIVE

A major task of the Plenipotentiary Conference was to establish a method of apportioning the expenses of operating the Union among the membership. There was strong sentiment to replace the Union's present free choice system in favor of adoption of the UN scale of assessments. Strong efforts by the United States and the other major contributors, including the Soviet Union succeeded in retaining the free choice system which permits each member to select its appropriate class of contributions. The Conference did expand the number of classes to permit the least developed countries to opt for new 1/4 and

[1] The Contact Group consists of Canada, Federal Republic of Germany, France, United Kingdom, and United States. In view of their special responsibilities as members of the Security Council, these countries concerted in March and April 1977 to develop a unified approach to exploratory talks with the Government of South Africa on the future of Namibia.

1/8 classes and to establish new maximum classes of 35 and 40 units. The United States supported the proposal for 1/4 and 1/8 classes. However, the United States and all other major contributors, except France, opposed the establishment of the 35-and 40-unit classes. Members have until July 1, 1983, to announce their contributory classes. Under the existing system, the United States pays at the present maximum of 30 units which equates to approximately 7% of the budget. France, the United Kingdom, and the Soviet Union also pay at the 30-unit level.

The Plenipotentiary voted new expenditure levels for establishing the annual budget for the 1983–89 period. Actual budgets will be reviewed at the annual session of the Administrative Conference. The United States repeatedly deplored the projected growth in the budget and implored the delegates to exercise fiscal responsibility in adopting levels in line with the economic realities of member governments. At the final review on the budget, Ambassador Gardner proposed a 20% cut in all expenses. Although his proposal was defeated by a vote of 32 (U. S.) to 64, with 9 abstentions, a French proposal for a 10% reduction was adopted by a vote of 67 (U.S.) to 32, with 6 abstentions. The budget will grow at a nominal rate of 29% over the next 7 years. The United States registered its concern regarding the budget levels by taking a formal reservation to the Final Acts.

The established spending levels can be exceeded to reflect increases in the Swiss inflation rate, mandated changes in the UN Common System, and exchange rate fluctuations. An initiative by the United States and the United Kingdom instructing the Union to make every effort to achieve a significant absorption of such nondiscretionary cost increases was adopted.

TECHNICAL ASSISTANCE

A major objective of the developing countries was to increase the Union's role as a provider of technical cooperation and assistance. They succeeded in revising the purposes of the Union to reflect this concern but were not successful in earmarking a specific percentage of the regular budget for that purpose. The United States, joined by a significant number of the major contributors, opposed this change. We also entered a formal reservation to the Final Acts on this point since we consider it more appropriate that technical cooperation should be funded by the UNDP, other voluntary sources, and the private sector.

The Plenipotentiary agreed to the establishment of an Independent Commission for World-wide Telecommunication Development.

The task of this commission, which is to be composed of 15–20 representatives, will be to study the existing telecommunications situations and to recommend procedures to stimulate its development in the developing world. A draft report is expected in 1984.

ELECTED OFFICIALS

The Plenipotentiary elected Richard Butler of Australia as Secretary General and Jean Jipquep of the Cameroons to be Deputy Secretary General. They will serve until the 1989 Plenipotentiary to be held in France. Five members of the International Frequency Registration Board were also either reelected or elected to serve until the next Plenipotentiary.

The United States was reelected a member of the 41-member Administrative Council. This Council acts as the Union's governing board between Plenipotentiaries.

FUTURE CONFERENCES

The Plenipotentiary approved the convening of a number of major world and regional administrative conferences to revise regulations dealing with the various telecommunication services over the next 7 years. These conferences include the Mobile Services, World Administrative Radio Congress (WARC), February 28–March 18, 1983; Broadcast Satellite Services, June 13–July 15, 1983; the High Frequency Broadcast WARC, January 1984, and to be resumed in 1986; the Space Services WARC in 1985 and 1987; and a WARC for Telegraph and Telephone Service in 1988.

The Plenipotentiary set the agenda for the High Frequency Broadcasting Conference in 1984. The United States did not concur in this proposed agenda.

France's invitation to host the 1989 Plenipotentiary was accepted.

FINAL ACTS

The primary purpose of the Plenipotentiary Conference was to revise and to renew the Union's basic document—the International Telecommunication Convention. Unlike other organizations, the ITU lacks a permanent charter. The new convention negotiated at Nairobi will take effect on January 1, 1984. Senate advice and consent will be required for U.S. ratification.

In signing the Final Acts, the United States took several reservations. We expressed concern for the increased politicization of the Union, the lack of realistic fiscal planning, and the new provision to finance an expanded program of technical cooperation out of the ordinary budget. The United States, in company with 21 other states, filed counter reservations refuting the sovereignty claims of the equatorial states over the geostationary orbit.

The Plenipotentiary adopted a resolution calling for the Administrative Council to establish a Panel of Experts to draft a permanent charter for the ITU that will be reviewed at the 1989 Plenipotentiary.

Universal Postal Union

During 1982 Vanuatu and Belize became members of the Universal Postal Union (UPU), bringing its membership at the end of the year to 166.

The 40-member Executive Council is the Union's administrative body and the Consultative Council for Postal Studies (CCPS) is its technical body. Both meet annually at the UPU Headquarters in Bern, Switzerland. The United States was elected to the Executive Council by the 1979 Rio de Janeiro UPU Congress for the 5-year term 1980–84, inclusive, and was appointed Chairman of the Executive Council's Finance Committee. The United States was also elected by the Rio de Janeiro Congress to the CCPS as a member for the same 5-year period.

EXECUTIVE COUNCIL

The Executive Council, under the chairmanship of Brazil, held its annual session from April 29 through May 13, 1982, at UPU Headquarters in Bern to fulfill its responsibility of administering the work of the Union until the 1984 Congress in Hamburg.

In organizational matters, the Council approved a net budget for 1983 of 18,602,500 Swiss francs, while approving withdrawal of 429,000 Swiss francs from the UPU Reserve Fund to maintain the 1983 contributory unit at the 1982 level of 17,500 Swiss francs. The UPU's 166 members, representing a total of 1063 contribution units, share the costs on the basis of voluntarily selected contribution units.

The Executive Council adopted several reforms to improve procedures for the 1984 Hamburg Congress. They included measures to reduce the number of proposals submitted and procedures to accelerate general debate.

The staff complement of the UPU Secretariat remained at 135 positions. There are 53 professional and 80 general service category positions. Felix Ciceron (France), an Assistant Director General, was

elected by the Council to Acting Deputy Director General to fill a vacancy until the 1984 Congress.

The technical committees of the Executive Council conduct studies designed to facilitate the exchange of international mail among the nations of the world. These studies proceed over a 5-year period and usually culminate in recommendations of reports to be acted upon by the UPU Congress. The studies now in progress affect the methods and costs of exchanging international mail and relate to customer charges for special services (such as general delivery and insured service); settling postal accounts; charges for transit mail and for terminal dues on mail imbalances, basic letter post rates and airmail conveyance dues; the exchange of international postal parcels; international express mail; and international postal money orders. The results of these studies can have a major impact on postal costs and operations. The United States participates fully in the conduct of these studies since these matters are of special concern because of the large volume of international mail processed by the United States.

CONSULTATIVE COUNCIL FOR POSTAL STUDIES

The annual meeting of the Consultative Council for Postal Studies was held November 8–18, 1982. As inthe Executive Council the CCPS technical studies follow a 5-year cycle to develop recommendations for consideration at the 1984 Congress. The main topics of study now in progress relate to (1) the future of the Postal Service; (2) postal operations; (3) postal mechanization, buildings, and motor transport; (4) financial services and accounting; (5) staff; (6) postal management; and (7) international postage. The principal thrust of the CCPS studies is to keep abreast of progress in postal technology and to facilitate the free exchange of advanced information. The United States contributes to this exchange and is likewise the beneficiary of experience gained by other postal services in the practical application of postal mechanization and technology.

INTERNATIONAL BUREAU

The UPU is the executing agency for postal development projects funded by the UNDP. For 1982, the UPU implemented approximately $2.5 million in UNDP-funded projects in more than 30 countries. In addition, the UPU also administered a special fund financed through voluntary contributions in providing limited assistance to the developing countries. In 1982, 41 countries pledged 375,000 Swiss francs to this fund which was used to provide 60 fellowships for courses related to postal operations and for equipment to 2 countries.

An ongoing responsibility of the International Bureau is to provide a forum for responding to inquiries, rendering opinions, and arbitrat-

ing disputes between member states. Two opinions issued in 1982 were noteworthy. The International Bureau reaffirmed that only postal administrations are competent to issue stamps denoting payment of postage. A second opinion held that there can be no discrimination in the postal tariff applied to such printed matters as books, pamphlets, musical scores, and maps. Any reduction in the postal tariff must be applied without discrimination to all senders regardless of whether the material is of domestic or foreign origin. On the other hand, the International Bureau did confirm that postal administrations may grant a reduction of 50% in the postal rate to domestically published newspapers and periodicals.

World Meteorological Organization

The membership of the World Meteorological Organization (WMO) in 1982 reached a total of 157 (152 states and 5 territories maintaining their own meteorological services). Belize and Vanuatu joined the organization during 1982.

The major program developments for the organization occurred in the context of the 34th session of the Executive Committee, held in Geneva in June 1982. The Executive Committee (EC) is composed of 29 directors of national meteorological or hydrometeorological services who serve in an individual capacity. It meets at least once a year to supervise the implementation of the programs approved by the Congress which is the supreme body of the organization. The Congress brings together the delegates of all members once every 4 years to determine general policies and budgetary requirements for the fulfillment of the mandate of the organization. An important document before the Committee was the report prepared by the Scientific and Technical Advisory Committee (STAC). This is an *ad hoc* committee panel of experts entrusted with the responsibility of reviewing the scientific and managerial structure of WMO to determine whether they should be modified to reflect more fully the present needs and purposes of the organization.

The Committee agreed to recommend to the Congress to be held next in 1983, the approval of most of the proposals contained in the STAC report, particularly that there should be a long-term plan of action going into some detail for the first 4 years after the Congress, consistent with the program and budget to be approved by the Congress. The remaining 6 years of this 10-year plan (1984–93), would be formulated in more general terms. The plan would have to be responsive to the economic situation and sensitive to changing needs and to new opportunities.

The Executive Committee agreed on the valuable role played by the existing STAC which, it was felt, should meet once a year on a

regular basis well in advance of the annual sessions of the Executive Committee.

World Weather Watch

The World Weather Watch (WWW) remains the principal program of the WMO: The Committee recognized that both polar orbiting and geostationary meteorological satellites were essential elements in this program, and firm commitments by member nations for continuing those operations were needed for effective operation of the WWW. The Committee recommended that full use of the WMO Voluntary Assistance Program should be made to support developing countries to maintaining the existing upper air network and for the establishment of some new stations in data-sparse areas.

Results of the internationally coordinated monitoring of the WWW carried out in 1981 indicated that 77% of the meteorological observations from the surface of the earth and 82% of the messages related to temperature were effectively exchanged, which meant that there had been no significant improvements since the Committee's session the previous year, apart from a 5% increase in the number of ship reports and a 2% increase in aeronautical reports. There is a need for synoptic diagnosis of WMO data acquisition and data flow in Africa and South America, and therefore, the Committee agreed to organize a "monitoring training roving seminar" in these regions.

The Committee recognized the need to enhance activities related to the Marine Meteorology Program in view of the crucial impact of oceans on the global weather. The Committee urged developing countries to increase the effectiveness of their marine meteorological services.

The overall value of the global satellite system to meteorological and operational hydrological services has increased to such an extent that extraordinary steps may have to be taken to ensure its continued operation and coordination. The Committee proposed the establishment of a WMO environmental satellite program, and urged technical commissions to develop specific requirements for satellite data within their sphere of competence.

The Committee strongly endorsed a proposed plan of activities under the Agriculture and Desertification Program in 1983. Strengthening agrometeorological services in developing countries through short-term and medium-term missions by experts was still the most important activity in this area. The Committee approved a technical conference/training seminar and workshop for intensive on-the-spot training on methodologies used in the agro-climatological survey in Southeast Asia in cooperation with FAO and UNESCO and with financial support from UNDP.

The Committee approved a technical conference on urban meteorology and climatology (with particular regard to tropical urban conditions), as well as a joint WMO/WHO (World Health Organization) Symposium on Human Bio-meteorology.

ENVIRONMENTAL DETERIORATION

The Committee agreed that, since the problem of environmental pollution constitutes a great challenge to mankind, atmospheric scientists should be concerned with the chemical properties as well as the physical processes of the atmosphere. Although the Background Air Pollution Monitoring Network (BAPMoN) of WMO is consistently improving, the Committee pointed out that there are large areas of the globe still insufficiently monitored. Some members of the Committee indicated the intention of their country to join the BAPMoN or to increase the number of operating stations. More support must be made available to train personnel in this field and to maintain instruments and equipment in developing countries. The Committee expressed appreciation to the U.S. Environmental Protection Agency (EPA) for continuing to process and publish BAPMoN data as it has done since 1972. The Committee encouraged the continued active participation of WMO in work on research, monitoring, and modelling of long range transport of pollutants in view of transboundary air pollution and acidification problems which are of concern to a growing number of members.

WEATHER MODIFICATION PROGRAM

The Executive Committee noted that its panel of experts on weather modification had reached the conclusion that after three seasons of intensive field measurements of natural clouds over the area in Spain selected for the Precipitation Enhancement Project (PEP), the range of estimates of increased precipitation that could be achieved by seeding was too wide to allow a definitive conclusion regarding the suitability of the site for the cloud seeding experiments. The Committee, therefore, agreed that WMO should not proceed at present with seeding experiments in Spain. However, members which had participated in the experiments were urged to complete the analysis of data already gathered, integrate information from the various centers and complete the archiving of the data. This work will ensure that a critical analysis of PEP activities can be carried out by the 9th Congress. The Committee felt that an important prerequisite for eventually carrying out a cloud-seeding demonstration phase of PEP (an exercise involving several years of

field experiments) would be the reaching of intergovernmental agreements among participating countries.

WORLD CLIMATE PROGRAM

The Executive Committee concluded that the ramifications of the World Climate Program (WCP) were so complex that a coordinating body with representation of the concerned international organization is desirable at this stage. Consequently, the Committee recommended the establishment of a WMO Advisory Committee for the World Climate Application Program and the World Climate Data Program. The World Climate Application Program should be regarded as a support program for the implementation of national climate programs. Many of the activities will be implemented in cooperation with FAO and UNESCO as well as with regional and international institutes and organizations. A special program on climate, food, and society was being considered by the UN Environment Program in which the cooperation of WMO, the International Council of Scientific Unions, and the Food and Agriculture Organization and other organizations could be foreseen. The purpose of the World Climate Data Program (WCDP) is to ensure that reliable climate data become accessible and exchangeable in support of climate research and impact studies requirements. A draft plan setting up actions required of various countries to achieve this purpose will be submitted for approval by the 9th WMO Congress.

EDUCATION AND TRAINING

The Committee stressed the value of introducing meteorology and hydrology into the curricula of secondary schools and asked the Secretary General to take action in collaboration with UNESCO and UNEP with the view to promoting these subjects in schools of the members' national education systems.

An increasing number of training publications was being translated into other languages. The Committee expressed appreciation for the effort made by some members to prepare translations in French and Spanish. It was agreed that a training books loan service, available to meteorological training institutions working with WMO, should be established on a trial basis for a 2-year period during the 9th financial period.

The Committee noted that 264 fellowships had been awarded during 1981 with support from the various technical cooperation programs of WMO, including the Voluntary Cooperation Program, trust funds and bilateral assistance, as well as with support provided under UNDP.

BUDGET

The budget approved for 1983, the last year of the quadrennial 1979–83, amounted to $18,108,200. This last session of the Executive Committee prior to the 1983 9th WMO Congress, reviewed the Secretary General's preliminary program and budget proposal for the period 1984–87. The Secretary General's proposal aims at striking a reasonable balance among the different programs and between program activity and staffing, while at the same time keeping budget growth very close to zero in real terms. A full discussion of the 1984–87 budget will occur at the 1983 WMO Congress.

International Labor Organization

This was the second full year of U.S. membership in the International Labor Organization (ILO) since rejoining the Geneva-based organization in February, 1980. By the end of the year 150 countries were ILO members.[1]

Unlike 1981, when the ILO held closely to its technical and labor-related work, political issues once again tended to dominate the Organization's deliberations in 1982. The ILO's investigation into the Government of Poland's suppression of trade union rights in that country brought forth renewed Soviet attacks on the diversified machinery the Organization uses to secure compliance with its principles and the obligations governments have undertaken by adhering to the ILO Constitution and ratifying ILO conventions. These conventions seek to protect the fundamental rights of workers (freedom of association, collective bargaining, abolition of forced labor, labor and job discrimination) as well as improve their economic and social lot (working conditions, employment, social security, health and safety, etc.).

This year's session of the International Labor Conference held in Geneva June 2–23, 1982, was both highly political and unpredictable. In fact, political issues—some germane (such as freedom of association in Poland), others extraneous (the Arab/Israeli conflict, the Falkland Islands war, Iran/Iraq) dominated the entire Conference.

INTERNATIONAL LABOR CONFERENCE

The annual International Labor Conference is the major ILO event of the year. It was attended by 2,000 government, employer, and

[1] Antigua and Barbuda, Sao Tome & Principe, Dominica, and San Marino joined the ILO in 1982.

worker delegates and advisers, in accordance with the organization's unique tripartite structure. Secretary of Labor Raymond J. Donovan headed the large U.S. delegation which included experts in the several technical items on the agenda, and was tripartite in structure, with the government, workers, and employers each designating their own representatives. The President of the AFL-CIO attended as part of U.S. workers' delegation and a representative of the U.S. Council for International Business led the employers' delegation. Secretary Donovan stressed the themes of youth employment and freedom of association in his June 14 address.

The 1982 Conference was highlighted by the special addresses of French President Francois Mitterrand and Pope John Paul II. President Mitterrand's address could be described as a call for international solidarity for the advancement of social and economic progress. The Pope also focused on solidarity—solidarity in the world of work. He paid tribute to the dignity and universality of human labor, characterized work as the fundamental dimension of human existence, and called for the establishment of a world conscience to humanize labor and promote social justice. Although he made no specific political references, the Pope did mention the importance of freedom of association as a fundamental right for all those who are connected with the world of work, and acknowledged that "it is a right that is severely threatened."

International Labor Standards

Each of the four technical agenda items considered by the Conference involved the revision of existing international labor standards. The Conference did, however, adopt a new convention and recommendation updating and considerably expanding the 1963 Recommendation on Termination of Employment at the Initiative of the Employer. The purpose of the instruments is to limit an employer's ability to discharge employees or, from the opposite prospective, to protect employees' rights when threatened with discharge. The two U.S. government delegates voted against the new convention because of its fundamental incompatibility with U.S. law and practice. They abstained on the new recommendation. The U.S. employer delegate voted with the government; the U.S. worker delegate supported both instruments. The votes were 356 to 9, with 54 abstentions on the Convention and 375 to 0, with 16 abstentions on the recommendation.

The Conference also adopted a Convention concerning Social Security for Migrant Workers, revising the 1935 Convention. It deals with entitlement to social security benefits of workers who move from one country to another. The entire U.S. delegation was able to support its approval. The vote was 404 to 0, with 29 abstentions.

Finally, the Conference approved a protocol revising Article 1 of the Convention concerning the Conditions of Employment of Plantation Workers. The revision limited the ILO's overly broad definition of the term "plantation." The U.S. government delegates supported the revision, as did the U.S. worker delegate. The employer delegate abstained. The vote was 348 to 0, with 15 abstentions.

In preparation for the 1983 Conference, the 1982 session began preliminary work on the possible adoption of new standards updating the Vocational Rehabilitation (Disabled) Recommendation of 1955. The U.S. government and employer delegates felt that a new standard should take the form of a recommendation. The workers preferred a convention.

Resolutions Committee

There were 18 draft resolutions submitted to the Conference, covering subjects ranging from the impact of new technologies on employment, working conditions, and health and safety, to a call for the observance of a day of solidarity with the workers of "Palestine, the Golan, and the other occupied Arab territories." The most potentially difficult and explosive of these was the Palestinian resolution. While its language was more moderate than past Arab resolutions submitted to the ILO Conference, its impact was the same as its predecessors: it condemned Israel without impartial investigation and ajudication under the ILO's established due process machinery.

The International Confederation of Free Trade Unions (ICFTU) to which the AFL-CIO belongs, submitted a resolution upholding the basic ILO principles of freedom of association. Its strong language was objectionable to the Soviet Union, which disagrees with the ILO's basic labor rights and their implementation.

The Committee determines by secret ballot the order in which the various resolutions are to be discussed. Since time was limited, it was critically important for a proposed resolution to rank high or there would be a very good chance it would not be considered at all. Although the Arabs and their allies had attempted to ensure the adoption of their resolution through the careful selection of members of the Committee, the resolution failed to take first place in the balloting for the five priority resolutions. It was the only time in the nearly a decade of consideration of similar resolutions that it had not been accorded the highest position. The Committee had decided that it would consider the draft resolutions in the following order: (1) ICFTU resolution on freedom of association; (2) Arab resolution concerning Palestinian workers; (3) employers' group resolution on possible ILO funding of Conference delegations; (4) Sudanese resolu-

tion concerning African refugees; and (5) resolution on ILO participation in the International Youth Year.

This ranking meant that discussion of the freedom of association draft resolution would have to be completed before the Committee could discuss the Arab resolution. As a result of increasingly chaotic sessions, the Committee never progressed beyond 5 of 71 amendments to the freedom of association resolution. When the Chairman announced a mistake in the previously stated outcome of a vote on the fifth amendment, the Soviet bloc and a number of Arab delegates refused to accept the new result and filibustered for the remainder of the Committee's sessions. In the end, the Resolutions Committee was unable even to adopt a report describing its lack of progress.

Many delegates expected that the Resolutions Committee's failure to adopt a report would lead to endless wrangling in the Conference plenary. Instead, the President of the Conference simply read a letter from the Chairman of the Committee indicating that it did not complete its work and was therefore not in a position to present a report to the Conference, concluding that "these unfortunate circumstances should not constitute any further impediment to the functioning of the Conference . . . ." The President thereupon closed the debate on the 1982 Resolutions Committee. His decision went unchallenged.

In terms of U.S. interests, the immediate effect of the events in the Resolutions Committee was favorable: failure of the Arab resolution means there was no resolution violating a member's due process rights. The long-term effect of the impasse, however, is not so clear since it was demonstrated that a disciplined group can block progress on items germane to and important for accomplishment of the organizations *bona fide* objectives. It is a precedent, and it may recur.

HUMAN RIGHTS

The deliberations of the tripartite Conference Committee on the Application of Conventions and Recommendations (CACR) represents one of the most important phases of the procedures through which the ILO monitors the implementation of its conventions and recommendations. Since the 1950's its reports have called attention to those countries that have repeatedly failed to comply with their recommendations. Serious violations, mainly of human rights conventions, are singled out for special mention in its report through use of special paragraphs that sum up the often lengthy discussions that surround such major cases. In 1982 three countries were named in "special paragraphs" as having continuing problems in upholding ILO standards in the human rights area, that is, with regard to freedom of association or discrimination in employment. The countries were Poland, Bolivia, and Burma. In addition, the CACR cited

Chile for "continued failure to implement" Convention III, the antidiscrimination convention; this is the most severe form of criticism the CACR can level.

Polish Case

The most dramatic case, however, was that of Poland which was cited for its general suspension of trade union activities and its infringement of the principles of Convention No. 87, Freedom of Association. The Freedom of Association Convention, adopted by the ILO in 1950 and ratified by Poland in 1957, provides that "workers and employers . . . shall have the right to establish and . . . join organizations of their own choosing without previous authorization."

The Brussels based ICFTU (AFL-CIO rejoined at the beginning of the year) and the World Confederation of Labor (WCL) filed a complaint against Poland on December 14, 1981, the day after the Polish Government declared martial law and suspended all trade union activities, including those of Solidarity. Their complaint first came up before the ILO's Committee on Freedom of Association (CFA), an organ of the Organization's Governing Board, during its February/March 1982 meeting. Voicing deep concern about the extreme gravity of the allegations contained in the ICFTU and WCL complaint, the Committee issued an interim report that requested additional information from the Polish Government, particularly regarding the internment of Solidarity leaders, and urged Poland to accept an ILO fact-finding Mission. The U.S. delegates supported the Committee's report. Communist country delegates termed the Committee's treatment of Poland "unfair." Nonetheless, the report was adopted without vote.

The Polish case next came before the Governing Board at its May 1982 meeting. The CFA report at that meeting began by expressing appreciation that a representative of ILO Director General Francis Blanchard had been allowed to visit Poland. This was a reference to the May 10–16, 1982, visit to Poland by retired ILO official Nicolas Valticos. Valticos had reported on the views of Polish Government and trade union leaders on the current situation. Valticos was also allowed to visit Solidarity leader Lech Walesa in confinement. The CFA report went on, however, to encourage the Polish Government to open real and frank discussions with all trade unions and to pass legislation that would permit free and independent trade union organizations. The report urged release of interned Polish trade unionists. Although the Soviet bloc challenged the Committee's conclusions, its report was overwhelmingly adopted by a vote of 49 (U.S.) to 4 (U.S.S.R.), with 1 abstention.

The Polish case occupied center stage throughout the Conference proceedings. It obviously had far-reaching implications for the whole issue of trade union freedom in communist countries.

The Polish delegation in its opening statement before the CACR, reflected its government's official position on the imposition of martial law: that Solidarity had strayed beyond its trade union mandate into the political realm and had shown disrespect for the law as well as opposition to the established social and political order. The ILO, it was alleged, was interfering in Poland's internal affairs.

For the most part the CACR discussion on Poland developed along positive lines. The Polish Government's willingness to consult with the ILO in adopting new legislation conforming to the Freedom of Association Convention were recognized. There were also references to the Valticos mission. The U.S. delegate expressed hope that new labor legislation that conformed to Convention 87 would be adopted soon. He also urged the Polish Government to supply information on the interned trade unionists. At the same time, however, a majority of the Committee, including the United States, was in favor of mentioning Poland in a special paragraph of the Committee's report. This provoked the reservations of the Eastern bloc and a number of Third World delegates. The Polish Government also reversed its previously conciliatory position, and feeling it had significant support within the Committee, called for a vote on the special paragraph. The outcome of the resulting show of hands vote was a two to one defeat for Poland and the Soviet bloc. The special paragraph was adopted.

The special paragraph noted the positive and encouraging elements contained in the information supplied by the Government of Poland, stressed the importance of continued collaboration between the Polish Government and the ILO, and expressed the hope that the principles and objectives of Convention 87 would soon be fully realized in law and in fact. The CACR nevertheless associated itself with the conclusions of the independent Committee of Experts and the recent report by the Committee on Freedom of Association, which had adopted very strong recommendations concerning Polish trade union legislation and the internment and arrest of leaders and members of Solidarity. To this end it reaffirmed that "the general suspension of trade union activities constituted a serious infringement of the principles of Convention 87" and expressed its deep concern on this subject.

The debate and vote on the Polish case had a profound effect on the remaining work of the CACR. The leaders of the workers' and employers' groups, concerned that the Committee's report would be challenged in plenary, apparently reached an agreement to call off efforts to highlight the U.S.S.R. and Czechoslovakia, also on the Committee's agenda, in its report. This arrangement was honored, with the result that neither country was the subject of a special paragraph in the Committee's report despite, in the case of Czechoslovakia, charges of widespread discrimination on the basis of

political opinion and, in the case of the Soviet Union, for charges of violations of the ILO's forced labor convention. However, the bargain proved to be a one-way street, as was demonstrated when the report reached the Conference plenary. In plenary just as the Conference President was about to move adoption of the Committee's report by consensus, a delegate from Bulgaria took the floor to criticize the shortcomings of the ILO's supervisory machinery and to protest the CACR's draft conclusions on Poland. He requested that the CACR report be put to a vote by the Conference.

The results of the recorded vote were: 231 (all 4 U.S. delegates—2 government, 1 worker, 1 employer) to 3, with 173 (U.S.S.R.) abstentions. A quorum consists of 241 votes, abstentions do not count toward a quorum, therefore the report failed to be adopted by only 7 votes.

While the failure to adopt the CACR report came as a bitter disappointment to the United States and its allies, a number of delegates as well as Director General Francis Blanchard of France made strong statements commending the work of the Committee, supporting the other aspects of the ILO's machinery for the supervision of international labor standards, and pointing out that the Conference's failure to adopt the report did not invalidate it as the statement of the CACR's conclusions or affect the ILO's continued scrutiny of events in Poland. The senior U.S. Government delegate stated that his vote in favor of the CACR report was meant to show the U.S. Government's "firm and unwavering support for the ILO's basic principles of objectivity, impartiality, and due process." He also noted that "only one region of the world, Eastern Europe, seems incapable of tolerating . . . criticism of their violations of ILO human rights standards."

The Governing Board and the Committee on Freedom of Association resumed its consideration of the Polish case at the November 1982 meeting. The CFA compiled a third report in which it expressed its "deep concern that the unions, and in particular Solidarity, were dissolved." It also noted that provisions of the new Polish labor law, which the ILO had been allowed to examine for only 1 day prior to its promulgation shortly before the November meeting, were not in accordance with the principles of freedom of association. Adding to its rebuke, the Committee went on to note its concern for the continued detention of trade union leaders and to recommend that at its next meeting it should take a decision on whether to appoint a Commission of Inquiry for the Polish case. A Commission, the ILO's strongest action, would be empowered to investigate, request information, hear witnesses, and issue a report that included recommendations, whether or not it had been allowed to go to Poland. As in May, the CFA report was overwhelmingly adopted by a vote of 47 (U.S.) to 4 (U.S.S.R.), with 3 abstentions.

Apartheid

In December 1981 governments, workers, and employers were asked to supply information on actions taken against apartheid in accordance with the updated 1964 Declaration concerning the Policy of Apartheid in South Africa. The United States has consistently expressed the belief that the monitoring of the revised declaration exceeds the competence of the ILO.

At the May 1982 Governing Board meeting, responses to this request were considered by the Committee on Discrimination. The U.S. Government responded to the survey only with respect to those areas it considered to be within the ILO's competence. At the same time it expressed its hope for the end of the system of apartheid and for the betterment of conditions of labor and social justice in South Africa.

In June 1982 the Conference Committee on Apartheid received the Governing Board's report and the information submitted to it by governments as well as workers' and employers' organizations. While condemning not only South Africa but also countries that deal with South Africa, the Committee adopted 13 conclusions—all without benefit of the ILO's careful due process procedures—outlining very strong measures to ensure implementation of the updated Declaration. In the view of the U.S. Government these measures, which included economic sanctions, ignored the ILO's due process procedures and went well beyond the organization's competence. They would also have the ILO assist political movements attempting to overthrow a government that is a member of the United Nations. As a result, the U.S. delegate on the ILO Committee reserved on the report.

When the Committee's report came before the Conference plenary the U.S. government delegation, while forcefully restating its complete rejection of and abhorrence for the system of apartheid, again stated its strong reservations to the report. The U.S. workers' delegation supported the report. The U.S. employers expressed reservations. The Committee's report was adopted without a vote.

Complaints Against the United States

Although it was officially decided in 1981 that the United States had not violated freedom of association, the CFA continued to seek information in the case of the Professional Air Traffic Controllers Organization. In September 1982 the United States provided the ILO with additional observations covering recent developments in the case. These concerned the U.S. Court of Appeals' decision on decertification, actions underway relating to reinstatement of individual air traffic controllers, the status of fines, and the use of

military air traffic controllers. In response the CFA urged the United States to accelerate reinstatement hearings pending before the Merit System Protection Board, an independent, quasi-judicial agency that hears adverse personnel action appeals filed by Federal employees. It also asked to be kept informed regarding the appeals themselves and on the continued use of military controllers.

In April 1982, the Capitol Employees Organizing Group (CEOG) lodged a formal complaint against the U.S. Government. The Group's membership is composed mainly of employees of the Senate restaurant. Its principal allegation is that its employer, the U.S. Senate, has refused since 1979 to recognize or negotiate with it. In September 1982, the U.S. Government provided the ILO with its preliminary observations, noting among other points that due to the doctrine of separation of powers, the Executive Branch which is responsible for U.S. participation in the ILO, has no jurisdiction with regard to the internal functioning of the Legislative Branch and is limited to bringing the case to its attention for appropriate action. This action was accomplished, the ILO was informed in a letter to the Vice President, who serves as President of the Senate. We also informed the ILO that the Senate leadership had subsequently asked a Senate panel to undertake a study of the case and that the study was underway.

When the CFA considered the case in November 1982, it adopted an interim report requesting the United States to supply a copy of the Senate study as soon as it became available. In addition the CFA expressed the hope that the workers concerned would be able to carry out normal trade union activities in full conformity with the principles of freedom of association.

FINANCIAL MATTERS

The ILO adopts biennial budgets in odd-numbered years, and 1982 was, therefore, not a budget year. Nevertheless, the U.S. delegation, at both the Annual Conference and Governing Board meetings throughout the year, continued to urge the necessity of a pause in the growth of international organization budgets. In the Conference Finance Committee the subject of primary importance to the United States was the ILO's growing practice of using supplemental budget requests to finance so-called "unforeseen" or "emergency" expenditures added to the approved program and budget. The United States reiterated opposition expressed earlier at the February/March Governing Board to these supplemental budget requests.

In addition to formal expressions of opposition at ILO meetings to the steady growth of international organization budgets, an interdepartmental U.S. Government team met in Geneva with ILO officials in September 1982 for informal but in-depth discussions regarding

the program and budget priorities of the Organization. The team made a number of suggestions on how the Organization, then in the process of preparing its 1984–85 budget request, could curtail or eliminate administrative support activities and thereby meet the U.S. policy goal of zero net real program growth and significant absorption of nondiscretionary cost increases, such as inflation or currency exchange losses, while still strengthening the program portion of the budget.

The International Atomic Energy Agency

In 1982 the International Atomic Energy Agency (IAEA) celebrated its 25th anniversary, marking the date, July 29, 1957, when the Agency came into being, fulfilling President Eisenhower's historic call to the UN General Assembly on December 8, 1953. In that address, he had proposed the creation of an international agency dedicated to the development of atomic energy for peaceful uses under conditions designed to deter the proliferation of nuclear weapons capability. Solid progress could be recorded in this anniversary year in the achievement of these basic charter objectives. Most importantly, the Agency had developed a non-proliferation safeguards system under which, for the first time in history, sovereign states permitted an international entity to perform inspections on their national territories, designed to detect the diversion of material and equipment, made available for peaceful purposes, to military use.

Ironically, in 1982 the scientific and technical purposes for which the Agency was created were put into jeopardy by increasing political controversy in the Agency's governing bodies which culminated in the illegal rejection of the credentials of the Government of Israel at that year's General Conference. This action, motivated by political objectives unrelated to the purposes of the Agency, caused the United States and 15 other countries to withdraw from the Conference and led the United States to reexamine its participation in future Agency activities. This reexamination continued through the end of 1982.

GENERAL CONFERENCE

The 26th annual session of the General Conference opened in Vienna, Austria, on September 20, 1982. Ambassador Domingo L. Siazon, Jr., the delegate from the Philippines, was chosen by acclamation to serve as President of the session. In his acceptance address, Ambassador Siazon said that the Agency's promotional programs for facilitating the transfer of nuclear technology "had

become vital for the solution of diverse problems related to health, food, and agriculture." He noted that 9 developing countries had 31 nuclear power reactors in operation or under construction by the end of 1981. Turning to the second of the Agency's interdependent objectives, safeguards, he declared the Agency's safeguards system "a vital element in the non-proliferation regime, and its continued development and universal acceptance were objectives to be pursued earnestly by the international community."

Following the election of its officers, the first official action of the General Conference was to approve Namibia, represented by the UN Council for Namibia, as the 111th member of the Agency, following a recommendation of the June session of the 34-member Board of Governors. This action was opposed by the five-power negotiating group (Canada, the Federal Republic of Germany, France, the United Kingdom, and the United States) on the ground that Namibia did not meet the criteria for statehood required for IAEA membership. These powers, including the United States, made it clear, as they had at the June Board session that they would welcome Namibia's membership when it became an independent state, a goal toward which they had been working since 1977.

Opening the general debate on the annual report for 1981, Dr. Hans Blix (Sweden) addressed his first General Conference since his election the previous year as the Agency's third Director General. He noted that "the exuberant optimism of the 50's and 60's and the dark pessimism of the 70's had given way to a realistic assessment and analysis of the problems and potentials of nuclear energy, and there was no doubt that there was an important place for nuclear power in modern society." In this connection, he pointed out the importance of the Agency's role in advising developing countries on appropriate methods of assessing the merits of nuclear power in relation to other sources of energy and stressed in particular the Agency's activities in the areas of nuclear safety, radioactive waste disposal, and safeguards.

Mr. W. Kenneth Davis, Deputy Secretary of the Department of Energy and head of the U.S. delegation to the General Conference, opened his address in the general debate with a message from President Reagan. The President, in congratulating the Agency on its 25th anniversary, noted the vital role the Agency had played in "controlling the dangers of the atom while realizing its peaceful promise." He declared that "a strong, effective Agency will be even more necessary to meet the challenges ahead," and warned, "It would be a tragedy for succeeding generations if we permit this organization to be weakened or undermined by political issues and concerns which are extraneous to the technical purposes for which the Agency was founded."

Mr. Davis endorsed the Director General's confidence in the future of nuclear energy, noting that the "long-range energy requirements

of the world demanded the successful use of nuclear energy." He urged a collective Agency effort to address the further development of the Agency's promotional and safeguards responsibilities.

A thorough but generally constructive debate took place on the Agency's program for the 6-year period, 1983–88, and budget for 1983, recommended by the Board of Governors. While members differed on the relative priority to be assigned to promotional versus safeguards functions, the Conference approved the Board's recommendation, which involved a 9.4% program increase for safeguards programs but an overall program increase of only 2.5%. The 1983 regular budget, as approved, totaled $91,561,000 of which $81,036,000 will be met by assessed contributions from member states. The U.S. assessment for 1983 will be $20,999,553 or 25.91% of the total.

The Conference also approved without controversy a target for voluntary contributions of $19 million in support of the technical cooperation program. Regular (assessed) budget financing for the technical cooperation program, a subject of contentious debate along North/South lines in recent annual conferences, was not a significant issue at the 26th session. Nor did the question arise regarding further expansion of the size of the 34-member Board of Governors, which has been on the General Conference agenda every year since 1977.

ISRAELI ISSUES IN THE GENERAL CONFERENCE

The spirit of harmonious compromise, however, was shattered by acrimonious and harmful debate on Israel's role in the IAEA.

The issue of suspension of Israel's privileges and rights of membership was on the Conference agenda as the result of a resolution adopted by the previous year's General Conference in the wake of Israel's bombing of the Iraqi reactor, which was under Agency safeguards. One resolution provision called on the 26th General Conference to consider Israel's suspension in the event that country had not by then complied with Security Council resolution 487 (1981), adopted unanimously, which *inter alia*, called on Israel to place all of its nuclear facilities under Agency safeguards, a step which Israel had not taken.

This led 19 delegations, in a resolution introduced by Tunisia, to call on the General Conference "to suspend Israel from the exercise of the privileges and rights of membership for its persistent violation of the Statute [of the IAEA] and the purposes and principles of the Charter of the United Nations." The U.S. delegation strongly opposed the draft resolution on grounds of its substantive and

procedural illegality, its clear departure from the Agency's mandate, and especially its emphasis on political issues outside the competence of the Agency. In a rollcall vote, with two-thirds of those voting necessary for passage, the resolution was defeated by a vote of 43 to 27, with 16 abstentions. It required 47 votes for passage.

The next attack on Israel came on the issue of credentials. Credentials of delegates were examined initially at the meeting of the General Committee, during which seven members objected to acceptance of the Israeli delegation's credentials. The United States, supported by four other delegations, argued for acceptance of Israeli credentials noting the purely technical purpose of the examination: to ascertain that the instrument of accreditation was in proper form and signed by appropriate government authority. Notwithstanding the statements of objection, the Committee accepted the Chairman's proposal that all credentials be accepted and that a draft resolution embodying the recommendation be prepared.

When the Committee's recommendation was considered in the final session of the Conference on September 24, Iraq moved an amendment to the Committee's report to accept all credentials "with the exception of the credentials presented by the Israeli delegation." This amendment was accepted and Israeli credentials rejected by a rollcall vote of 41 to 39 (U.S.), with 5 abstentions. Speaking after the vote rejecting Israel's credentials, Mr. Davis condemned the action. He said that first, it totally ignored the strictly procedural mandate to determine whether the credentials have been signed by the head of state or government or Minister of Foreign Affairs of a duly constituted government of a member state in good standing. Second, it blatantly introduced into this procedure strictly political issues—issues that could have no proper place in this technical agency with specialized responsibilities. Mr. Davis announced that given these circumstances, the United States was forced to withdraw from the Conference and that the United States would reassess its policy regarding U.S. participation in the IAEA and its activities. Fifteen other delegations also withdrew from the Conference.

Immediately following the General Conference, an interdepartmental task force, headed by Ambassador Richard T. Kennedy, began the reexamination of U.S. policy toward the Agency. In the meantime, virtually all U.S. participation in Agency activities was brought to a standstill, and payment of U.S. assessed and voluntary contributions to the 1982 program was suspended.

GENERAL ASSEMBLY ACTION

As it had the previous year, the political controversy of the IAEA General Conference carried over into the General Assembly 2

months later. IAEA Director General Blix, in his statement presenting the Annual Report of the Agency to the Assembly, took note of the U.S. reassessment then underway, saying that "there is no doubt that resumed participation by the United States in the IAEA is vitally important for the well functioning of the organization." He declared that the principle of universality of membership in the Agency was central to the IAEA's overall task of promoting nuclear energy under effective safeguards and to developing minimum standards of safety.

Speaking on behalf of the United States, Senator Johnston of the U.S. delegation said that in recent years IAEA had "tended to become increasingly embroiled in extraneous political issues, often with North/South overtones, which are and ought to remain outside its statutory functions. Such issues divert attention from the Agency's basic purposes and erode its effectiveness through controversy and confrontation." He noted that this increasing emphasis on political issues had, at the IAEA General Conference, culminated in the arbitrary and illegal rejection of a member state's credentials, thereby compromising "both the integrity and the universality of the Agency." Several other speakers emphasized the importance of the principle of universality of membership.

These efforts to prevent a replay in the General Assembly of the political issues which had plagued the IAEA General Conference, foundered with the introduction by Iraq on November 18, of an amendment to the annual resolution taking note of the IAEA report, targeted specifically at Israel. Efforts by the United States to amend this language to retain its central point, while omitting mention of any specific state, failed. After a series of preliminary votes, the final resolution was adopted by a vote of 105 to 2 (Israel and U.S.), with 25 abstentions. (Resolution 37/19.) As adopted, the resolution reads in part, "Considers that Israel's threat to repeat its armed attack against nuclear facilities as well as any other armed attack against nuclear facilities constitutes, *inter alia*, a serious threat to the role and activities of the IAEA in the development and further promotion of nuclear energy for peaceful purposes." Ambassador Lichenstein said that his government opposed the first part of this formulation on the grounds that the General Assembly had already adopted a resolution concerning Israel's attack on the Baghdad reactor and that yet another resolution "seeking to point fingers of blame and to name names" was pointless. He went on to say that it undermined an important truth that should be unambiguously set forth in "a comprehensive manner—namely, that any attack on a peaceful nuclear installation in violation of the United Nations Charter constitutes a serious threat to the role and activities of the International Atomic Energy Agency and to the development and promotion of nuclear energy for peaceful purposes."

IAEA PROGRAMS

Safeguards

The IAEA's program of safeguards is a system of procedures, including reports, records, and inspections by which the IAEA can verify that specified materials and facilities remain in declared, peaceful uses, and hence are not being diverted from their declared peaceful purposes. Safeguards against nuclear proliferation is one of the two principal and interdependent statutory objectives of the Agency: to promote the use of nuclear energy for the benefit of mankind while providing the maximum possible assurance against the diversion of nuclear material and equipment to nonpeaceful uses. From the point of view of world security, it is the most important of the Agency's functions to which the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) bears testimony in its assignment to the IAEA of the safeguards responsibilities embodied in that treaty. The IAEA's safeguards activities, as its Director General reminded the 37th General Assembly, "relate directly to international security."

During 1982 four new safeguards agreements were negotiated and approved by the Board of Governors. Bangladesh entered into a safeguards agreement with the Agency pursuant to the Treaty on the Non-Proliferation of Nuclear Weapons, bringing the total number of countries which had concluded such agreements since the entry into force of the NPT in 1970 to 66. In addition, three safeguards agreements were negotiated with non-NPT countries: with Chile (to provide for safeguards on nuclear fuel to be supplied by the United Kingdom), with Argentina (to provide for safeguards on nuclear fuel to be provided by the Soviet Union), and with Spain (to provide for safeguards on two nuclear power units to be constructed utilizing certain equipment to be supplied by the Federal Republic of Germany).

In his report to the June Board of Governors meeting on the implementation of safeguards during 1981, the Director General reported that the Secretariat had not detected any anomaly which would indicate the diversion of a significant amount of safeguarded nuclear material for military purposes. He noted, however, that with respect to two nuclear power plants in non-nuclear-weapon states, the Agency was not in a position to perform adequate verification pending implementation of certain technical measures. He reported that discussions were proceeding with the governments of the states concerned, and he expected the matter to be resolved to the mutual satisfaction of both parties. By the end of 1982, these discussions had been concluded satisfactorily with one government and were nearing completion, also promising satisfactory results, with the other.

Considerable attention was given during 1982 to the need for improving the level of inspection performance generally and to the need to provide greater assurance to governments and the general public of the adequacy of the Agency's safeguards performance in achieving its central objective to provide assurance, to the best of its ability, that materials and equipment provided for peaceful purposes were not being diverted to nonpeaceful purposes.

With regard to improving the level of inspection performance, the Agency's budget for 1983, approved by the General Conference, provided for a further increase in the safeguards inspectorate. Plans were made to increase the use of qualified supporting staff to participate in inspections. A special training program for nationals from developing countries was also planned. Finally, a program was initiated to procure new safeguards equipment for use in inspections. About $4 million was set aside during 1983 to purchase a new generation of safeguards equipment in the quantities needed. This program will extend over several years.

With regard to increasing confidence in the Agency's safeguards, it was recognized that this objective must be realized with full recognition of the Agency's obligation to take every precaution to protect commercial, industrial, or confidential information it acquires to applying safeguards. With due reference to this obligation, an initial step was taken toward providing greater dissemination of information on safeguards implementation by more detailed exposition in the Agency's Annual Report for 1982. This subject will receive further consideration in 1983.

In 1982 the United States continued its special program of voluntary support of IAEA safeguards development and other nonproliferation activities. The total value of this program in 1982 was $4.1 million. During 1982 the United States shifted the emphasis in this special program from the development of new instruments and techniques to bringing those already developed into routine use throughout the IAEA safeguards system. Highest priority was given to types of equipment for verifying nuclear materials which could be used directly in nuclear weapons. Extensive efforts were also directed toward improving the reliability of optical surveillance equipment. Studies were completed with respect to light-water reactors, and other studies were initiated for other types of facilities for the purpose of providing a comprehensive method of evaluating safeguards system effectiveness and assessing possible allocations of IAEA manpower and equipment resources. This program was suspended in October pending the outcome of the reassessment.

Technical Cooperation

The Agency's Technical Assistance and Cooperation Program consists of the provision of equipment, training, and fellowships, and

the services of experts in the nuclear field. It is funded from voluntary contributions of member states. Almost half of the program involves assistance in the application of radioisotopes and radiation in agriculture, medicine, biology, hydrology, and industry. A quarter of the program provides support in the areas of nuclear power and safety, with the remainder going into nuclear physics and chemistry; prospecting, mining, and processing of nuclear materials; and general atomic energy development.

The report of the Agency's technical cooperation activities in 1981, considered at the June 1982 meeting of the Board of Governors, noted that a total of $24,294,000 was provided to the Agency for technical cooperation activities in 1981. That amount was apportioned roughly as follows: cash contributions of member states, 52%; extrabudgetary funds (made available for specified projects of special interests to donors), 15%; assistance-in-kind in the form of equipment, fellowships and training, and the services of experts, 11.5%; and UNDP, 21%. The most important funding source is voluntary cash contributions which rose in 1981 by 19% over 1980 to $12,675,000. The 1981 General Conference set a target for voluntary cash contributions of $16,000,000 for 1982, toward which the United States pledged $3.9 million. In addition, the United States pledged $3.8 million for in-kind contributions for that year in the form primarily of fellowships for study in U.S. institutions, training courses, equipment, and services of experts. Almost all of the U.S. pledge was disbursed prior to the General Conference.

Nuclear Safety and Environmental Cooperation

The IAEA's Statute authorizes it to establish safety standards in the nuclear field. This activity has been prominent in the Agency's developmental programs from the beginning. Its importance, however, has greatly accelerated in recent years, an importance which was marked in 1982 by the publication of a review of nuclear safety for 1980–81. This review is to be issued annually, providing in the future more reliable and less fragmentary information in this field. The Agency has also undertaken the organization of a worldwide system for reporting abnormal occurrences at nuclear facilities, the goal of which is to provide information about the causes of nuclear accidents and to arrange for international study of ways of avoiding them.

Following an initiative by the United States in February 1982, the Board of Governors requested the Director General to convene a group of experts to submit proposals as to how emergency assistance in the wake of nuclear accidents might be facilitated among member states. That group reached consensus agreement in June and

recommended that an agency document be developed containing specific legal provision that would be applicable in the event of such assistance and that certain further work be carried out in the field of emergency planning. In September, the Board of Governors accepted these recommentations and asked the Director General to implement them.

Planning was begun in 1982 for a major IAEA technical conference on radioactive waste management to be held in Seattle, Washington, in May 1983.

BOARD OF GOVERNORS

Eleven vacancies on the Board of Governors for 1982–83 were filled by the election of Brazil, Mexico, and Venezuela (Latin America); Denmark and Portugal (Western Europe); Bulgaria (Eastern Europe); Kenya, Libyan Arab Jamahiriya, and Zaire (Africa); Pakistan (Middle East and South Asia); and Thailand (Southeast Asia and the Pacific). These members will serve for 2 years through the 1984 General Conference. Other members of the Board are Argentina, Australia, Canada, Egypt, Federal Republic of Germany, France, India, Italy, Japan, U.S.S.R., United Kingdom, and the United States, all designated by the Board of Governors in June as the most advanced in the development of atomic energy on a worldwide or regional basis in accordance with the IAEA Statute. The remaining members of the Board, elected by the General Conference in 1981, are as follows: Colombia and Panama (Latin America); the Netherlands and Spain (Western Europe); Czechoslovakia and Romania (Eastern Europe); Algeria and Zambia (Africa); Bangladesh (Middle East and South Asia); Republic of Korea (Far East); and Indonesia (Southeast Asia and the Pacific).

Immediately after the adjournment of the General Conference, the new Board met in a brief session and elected the Governor from Czechoslovakia, Ambassador Emil Keblusek, as Chairman. Senator Luigi Noe (Italy) and Mr. Adolfo R. Taylhardat (Venezuela) were elected as Vice Chairmen. The United States, which had withdrawn from the Conference after the Israeli credential's rejection and suspended its participation in the Agency, did not attend this first meeting of the new board.

Part 3

Trusteeship and Dependent Areas

UN consideration of dependent area questions is carried out principally in three bodies—the Trusteeship Council, the General Assembly's Fourth Committee (Trust and Non-Self-Governing Territories), and the General Assembly's Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (known as the Special Committee on Decolonization or the Committee of 24).

Chapter XI of the UN Charter sets forth the responsibilities of states for "the administration of territories whose peoples have not yet attained a full measure of self-government." These "non-self-governing territories" are considered annually by the Committee of 24, which is charged with making suggestions and recommendations to the General Assembly regarding implementation of resolution 1514 of 1960, the "Declaration on the Granting of Independence to Colonial Countries and Peoples." In 1982 the membership of the Committee of 24 (actually 25 members) consisted of Afghanistan, Australia, Bulgaria, Chile, China, Congo, Cuba, Czechoslovakia, Ethiopia, Fiji, India, Indonesia, Iran, Iraq, Ivory Coast, Mali, Norway, Sierra Leone, Syria, Tanzania, Trinidad and Tobago, Tunisia, U.S.S.R., Venezuela, and Yugoslavia. The United States was a member of the Committee until 1971, when it and the United Kingdom resigned because of a basic disagreement with the manner in which the Committee was operating.

Although the number of non-self-governing territories has steadily declined over the years, there is still considerable interest by the United Nations in these areas it considers to be colonial. In 1982 the Special Committee on Decolonization continued to devote much of its attention to Namibia, but it also paid substantial attention to other territories, including American Samoa, Guam, and the U.S. Virgin Islands. The United States participates in the Committee's deliberations on these U.S. territories and annually transmits information on them in accordance with Article 73(e) of the Charter.

The Committee also considered conditions in the Trust Territory of the Pacific Islands and the question of the status of Puerto Rico, but

the United States does not consider either to be within the jurisdiction of the Committee and does not participate in the discussion of these areas. On August 4, 1982, in a followup to similar action in 1981, the Committee adopted an objectionable resolution on Puerto Rico (sponsored by Cuba, Iraq, Afghanistan, and Syria) which contained unacceptable elements, particularly with regard to its proposal to place Puerto Rico on the agenda of the 37th General Assembly. The Committee also adopted several conclusions and recommendations concerning the Trust Territory of the Pacific Islands, with which we did not agree. Subsequently, an unsuccessful attempt was made to have them considered by the General Assembly.

The Special Committee on Decolonization annually considers a number of issues related to colonialism, such as the activities of foreign economic and other interests seen by the Committee as impeding the process of decolonization, military activities by colonial powers seen as impeding decolonization, and activities by specialized agencies and other UN bodies that might assist the process of decolonization. In the latter context, the United States has consistently opposed General Assembly resolutions calling for specialized agency cooperation with and assistance to "national liberation movements."

The United States takes basic exception to a view that has come to predominate in the Committee and the General Assembly equating self-determination with independence. The U.S. supports the view that independence is only one possible outcome of an act of self-determination, and that the essential requirement is that the status of a territory reflect the freely expressed wishes of its people. It is noteworthy in this regard that General Assembly resolutions 1541 of 1960 and 2625 of 1970, the so-called Declaration on Friendly Relations, enumerate three ways of implementing self-determination: by achieving the status of independence; through free association with an independent state; or by merger with an independent state. General Assembly resolution 2625 of 1970, which the United States supported, added to this list "any other political status freely determined by a people." The United States also believes that the timing and manner of an act of self-determination should be determined by the people of the territory and the administering authority, not by a UN body involved in overseeing the area, and that the question of whether military bases interfere with the right to self-determination can only be decided on a case-by-case basis, after examination of the particular circumstances of the territory in question.

Chapter XII of the UN Charter established an international trusteeship system and Chapter XIII established the Trusteeship Council. The U.S. administered Trust Territory of the Pacific Islands,

which has been designated a strategic trust territory, is the sole remaining territory under the trusteeship system. In accordance with Article 83 of the Charter, the Security Council is responsible for all functions of the United Nations relating to strategic areas. The Charter also provides that the Security Council shall avail itself of the assistance of the Trusteeship Council to perform these functions relating to political, economic, social, and educational matters in strategic territories. The Trusteeship Council now consists of the United States as administrator of the Trust Territory of the Pacific Islands, and China (P.R.C.), France, the U.S.S.R., and the United Kingdom as permanent members of the Security Council. (The P.R.C. has not participated in the activities of the Council.)

TRUST TERRITORY OF THE PACIFIC ISLANDS

The Trust Territory of the Pacific Islands consists of more than 2,100 islands spread out over an area of the northern Pacific equivalent in size to the continental United States. The islands are all small, and together their total land area is about 700 square miles (1,850 square kilometers), about one-half the size of Rhode Island. About 100 of the islands are inhabited, and total population is estimated to be 136,500. The Trust Territory consists of three distinct island groups: the Marianas (with the exception of Guam) in the northwest, the Carolines to the south running from west to center, and the Marshalls in the east.

Formerly administered by Japan under a League of Nations mandate, the islands came under U.S. control as a result of World War II. Following the founding of the United Nations and the establishment of the trusteeship system, the United States and the UN Security Council concluded an agreement on July 18, 1947, making the islands a strategic trust territory under U.S. administration. The Trust Territory has been administered by the U.S. Department of the Interior since 1951.

The Trust Territory has divided politically into four separate entities. In 1975 the people of the Northern Mariana Islands voted to separate from the rest of the Trust Territory and to join the United States in commonwealth status following termination of the Trusteeship Agreement. The Northern Mariana Islands already functions as a separate administrative unit, and has a popularly elected governor and legislature. In 1978 the people of the districts of Truk, Yap, Ponape, and Kosrae, in the Carolines, voted in a constitutional referendum to establish the Federated States of Micronesia, and in 1979 formed federal and state governments. The Marshall Islands also formed a constitutional government in 1979, and in 1981 the people of Palau, of the Caroline group, established the Republic of Palau, each as a separate entity within the Trusteeship. Since 1969

representatives of these island groups have been engaged in negotiations with the U.S. Government to determine their future political status. The Federated State of Micronesia, Palau, and the Marshall Islands have negotiated a Compact of Free Association with the United States under which they will largely be responsible for their own affairs, including foreign affairs, although the United States will retain full authority and responsibility for their defense and security. The negotiations were essentially concluded by the end of 1982.

Trusteeship Council Consideration—49th Regular Session

The Trusteeship Council held its 49th regular session in New York from May 17 to June 11, 1982. Mr. Paul Poudade of France and Mr. Marrack I. Goulding of the United Kingdom were elected respectively President and Vice President of the Council. Ambassador William C. Sherman of the U.S. Mission to the United Nations served as U.S. Representative to the Council. The High Commissioner of the Trust Territory, Janet McCoy, served as a Special Representative. The Special Representatives from the Trust Territory included the Governor of the Northern Mariana Islands, Pedro P. Tenorio; the Vice President of the Republic of Palau, Alfonso R. Oiterong; the Secretary for Foreign Affairs of the Republic of the Marshall Islands, Anton A. DeBrum; and the Deputy Secretary for External Affairs of the Federated States of Micronesia, Asterio Takesy. Ambassador Fred M. Zeder, II, the President's Personal Representative for Micronesian Status Negotiations, served as Special Advisor, along with the President of the Republic of the Marshall Islands, Amata Kabua.

On May 17 Ambassador Sherman presented the opening statement of the U.S. Delegation. He described to the Council the progress of the status negotiations leading toward termination of the Trusteeship Agreement and the planned entry into Free Association by Palau, the Marshall Islands, and the Federated States of Micronesia. Ambassador Sherman also suggested the Trusteeship Council send its regular triennial Visiting Mission to the Trust Territory within the next 4 months. He cited progress in the negotiations and expressed the hope that they would be concluded in the near future.

Mrs. McCoy next addressed the Council and reviewed the developments over the past 20 years. She noted improvements over this period in transportation, commercial fishing, hospital services, education, and, most particularly, the vast changes in government of the territory, which have resulted in the creation and installation of freely chosen and locally designed governments operating throughout the Trust Territory and substantially managing all phases of internal self-government—executive, legislative, and judicial. She

noted the presence at the Council meeting of many of the members of these constitutional governments. Mrs. McCoy assured the Council that the Trust Territory government and the U.S. Government were cooperating fully in seeking an early completion of the negotiations and establishing educational programs leading to a plebiscite on the Compact of Free Association.

Following the High Commissioner, Governor Tenorio asked the Council's support for early termination of the Trusteeship so that the Commonwealth Covenant could come into full effect. He noted that the Government of the Northern Mariana Islands was in the process of improving the islands' infrastructure in order to increase tourism but asked for help in getting the United States to pay its share of the balance of the Title I war claims for which, he said, the people have been waiting for 35 years. He also requested UN technical assistance in health and education.

Governor Tenorio also made a strong plea for support for his government's opposition to ocean dumping of nuclear wastes.

Following the Northern Marianas Governor, Commonwealth Senate President Olympio Borja delivered an address which stressed seven main points. He said that he appreciated U.S. efforts but listed several areas in which he believed further action should be taken, some with UN assistance (banking, agriculture, fisheries, tourism, science, education, and health). He said that the lack of U.S. citizenship was frustrating and noted that although citizens of the Northern Marianas are treated for many purposes as if they were already U.S. citizens, they could not become officers in the U.S. Armed Forces. He appealed for an early termination of the Trusteeship Agreement so that full rights and privileges of U.S. citizenship could be achieved.

He also asked for the Council's support for the Northern Mariana Islands' desire to claim jurisdiction over the 200-mile zone around the islands, in the same manner as other areas of the Trust Territory have done. Finally, Senator Borja urged the U.S. Government to decide finally whether it would exercise its option to land on Tinian Island, and agreed with Governor Tenorio's opposition to nuclear dumping and with his request for payment to Title I war claims.

Vice President Oiterong of Palau, speaking on May 18, opened his remarks with a description of Palau's adjustments to increased self-government. He pointed out the institutional changes already made and underway and discussed developments in foreign affairs, agriculture, telecommunications, fisheries, and energy-production. On the negative side, he cited funding problems which he said had led to the Government employees' strike and the bombing and burning of the President's office in September 1981, a situation exacerbated by a limited budget and lack of well-planned transition programs. He said the U.S. Department of the Interior had failed to provide sufficient

funds to enable Palau to carry out the additional functions of government which it had assumed. Palau's new chief political status negotiator, Ambassador Salii, expressed the need for additional economic assistance to keep pace with the rapid political changes underway. He said he intended to proceed to Washington to begin intensive discussions with the United States aimed at rapid completion of the political status negotiations. He also invited those nations interested in assisting Palau to work with his office to develop commercial and diplomatic relationships which would benefit both parties.

Mr. Takesy informed the Council of developments over a broad range of activities, in addition to the political status negotiations. He indicated the Federated States of Micronesia's willingness to resume negotiations in the near future on the agreements subsidiary to the Compact of Free Association. He pointed out, however, that some "transition" issues still needed to be resolved, including funding for construction of the Federated States of Micronesia's capital complex in Ponape and of facilities for the College of Micronesia. Among developments in foreign affairs over the past year, Mr. Takesy mentioned the conclusion of a second aid agreement with Japan and fishing agreements with Japan and with Taiwan commercial fishing associations. He also spoke of broadened regional ties with the independent states of the South Pacific. In closing, he asked for the Council's support for the Federated States of Micronesia's signing the Law of the Sea Convention prior to termination of the Trusteeship.

Mr. DeBrum reviewed the establishment of the Government of the Marshall Islands and the progress of the political status negotiations and announced to the Council that the Government of the Marshalls was prepared to hold a plebiscite on the Compact of Free Association on August 17, 1982, and hoped for termination of the Trusteeship Agreement as it applies to the Marshalls no later than October 1, 1982.[1]

Recalling the United States invitation to the Council to send a regular Visiting Mission to the Trust Territory within the next 4 months, Mr. DeBrum suggested that the Mission's visit coincide with the proposed plebiscite in the Marshall Islands so that it could also observe the political education program and the voting. It was his contention that negotiation of the remaining agreements subsidiary to the Compact would be completed in May and that the documents would be signed and distributed shortly thereafter. He said that the timetable would include a political education program lasting from June 1 to July 30. Mr. DeBrum added that defeat of the Compact in the plebiscite in the Marshall Islands would be considered a vote for

[1] In fact, this timetable was not met and only the completion of status negotiations was accomplished in 1982.

independence. If the Compact did not receive full approval by the U.S. Government following the plebiscite and by October 1, his government would interpret such a situation as a decision leading to independence. In either case, Mr. DeBrum maintained, Marshellese independence would be unconditional; further negotiations with the United States would take place on the basis of recognition of the Marshall Islands as a fully sovereign nation. If, on the other hand, the people voted for the Compact, it would come into effect on October 1. Mr. DeBrum also appealed to the Council to recognize the right of the Marshall Islands to undertake these acts of self-determination and to assist his government in obtaining further international recognition of its sovereignty.

During the examination of the U.S. Annual Report on the Trust Territory, the Trusteeship Council heard 15 petitioners and examined several petitions and communications, deciding without objection to take note of them. The Council also adopted a resolution introduced by France approving the dispatch of a regular triennial Visiting Mission to the Trust Territory in 1982.

Among the conclusions and recommendations contained in its report to the Security Council, the Trusteeship Council reaffirmed the inalienable right of the people of Micronesia to self-determination, including the right to independence; noted that each of the political components of the Trust Territory has practically achieved full functional self-government under the Trusteeship Agreement; noted that the United States has completed its review of the future of political status negotiations for the Trust Territory and stated that it sought termination of the Trusteeship Agreement at the earliest possible date, and would seek to complete negotiations with Palau, the Marshall Islands, and the Federated States of Micronesia expeditiously on the basis of the initialed Compact of Free Association; noted that in 1981 further progress had been made in the negotiations on political status, which were continuing as the Council met; noted the statements of representatives of the Commonwealth of the Northern Mariana Islands, who emphasized their desire to maintain preferential and close relations with the United States after the termination of the Trusteeship Agreement; noted the expressed desire of the Micronesian representatives for a speedy conclusion to negotiations and the termination of the Trusteeship; noted the intention of the United States to invite the international community to observe the plebiscite through the intermediary of the appropriate UN organs; strongly reiterated its opinion that all the peoples of Micronesia should be given the fullest opportunity to inform themselves about the various political choices open to them, including independence; reiterated its view that the Compact of Free Association is an option that is not incompatible with the Trusteeship Agreement; noted that the United States had reaffirmed its

intention to proceed in a manner fully consistent with the UN Charter and to take up the matter of termination of the Trusteeship Agreement at the appropriate time with the Trusteeship Council and the Security Council; urged the United States to consider maintaining the amount of its aid, after the end of its mandate, at a real level comparable to that provided during recent years; and, finally, expressed the hope that, after termination of the Trusteeship Agreement, the Micronesians would establish the all-Micronesian entity which they agreed upon at Molokai in October, 1977.

Trusteeship Council Visiting Mission

Pursuant to the adoption of a resolution by the Trusteeship Council on June 11, 1982, a Visiting Mission was sent to the Trust Territory during the month of July 1982. The Mission was composed of Council President Paul Poudade (France) and former Council President Sheila Harden (United Kingdom). Trusteeship Council Secretary Girma Abebe, and four members of the UN Secretariat provided secretariat services. The Mission was escorted by officers of the Department of State and a representative of the Trust Territory government. The Mission visited all four Micronesian capitals and the Trust Territory government headquarters, meeting with officials of the constitutional governments, traditional leaders, the High Commissioner of the Trust Territory, and others. The Mission also visited the Kwajalein Missile Range, Ebeye Island, and other areas of special interest highlighted during the 1982 annual meeting of the Trusteeship Council.

General Assembly Consideration

The General Assembly's Special Committee on Decolonization considered the Trust Territory at four meetings, August 5–10 and September 20, 1982. The United States maintains that under the UN Charter the Special Committee's mandate does not extend to the Trust Territory, and therefore the United States did not participate in the Special Committee's review. On August 10, 1982, the Committee voted (with three abstentions—Mali, Norway, and Australia) to approve a chapter of its Annual Report concerning the Trust Territory. The chapter contained several conclusions and recommendations with which the United States did not agree. At its September 20 meeting the Special Committee decided to reformulate these conclusions and recommendations in the form of a draft resolution to be submitted to the General Assembly's Fourth Committee for eventual adoption as a General Assembly resolution. The Australian and Norwegian delegations disassociated themselves from this procedure for submission of a non-consensus draft text. (Heretofore,

throughout the history of the Special Committee, only drafts which achieved consensus approval were forwarded to the General Assembly or its committees by the Special Committee. Drafts which lacked consensus were submitted to the General Assembly under national sponsorship.)

The United States opposed Fourth Committee consideration of this draft resolution as contrary to UN Charter provisions which give the Security Council exclusive oversight responsibility for the Trust Territory of the Pacific Islands, as the only strategic trust territory. On the basis of consultations with the Special Committee Chairman and other delegations, the Cuban Chairman of the Fourth Committee suggested on November 16, 1982, that the Committee take no action on the draft resolution. His proposal drew no objection, with the result that Fourth Committee consideration of the resolution ended. Thus, no specific resolution on the Trust Territory was discussed further at the 37th General Assembly.

Trusteeship Council—15th Special Session

At the request of the United States, the Trusteeship Council met in a special session December 16–20, 1982, to consider a U.S. request that the Council organize and dispatch a mission or series of missions to observe plebiscites in Palau, the Marshall Islands, and the Federated States of Micronesia. The U.S. Delegation was headed by Ambassador Sherman.

In his opening statement Ambassador Sherman announced that the United States had essentially concluded negotiations with the Governments of Palau, the Marshall Islands, and the Federated States of Micronesia on their future political status and a future political relationship between each of them and the United States which would come into effect upon the termination of the strategic Trusteeship established by the United Nations under Articles 82 and 83 of the Charter. The President's Personal Representative for Micronesian Status Negotiations, Ambassador Sherman added, had signed individual instruments known as the Compact of Free Association, together with a series of related agreements, respectively, with the President of the Republic of the Marshall Islands on May 30, 1982; with the chief negotiator for the Republic of Palau on August 26, 1982; and with the chief negotiator for the Federated States of Micronesia on October 1, 1982. The Compact, he went on, was now ready to be considered by the electorates of each of the Micronesian jurisdictions in a plebiscite constituting an act of self-determination; the United States believed that these important acts should receive the scrutiny of the international community; and, consequently, requested that the Trusteeship Council authorize the sending of missions to observe the plebiscites in each jurisdiction.

Ambassador Sherman reported that the United States and the Republic of Palau had agreed on February 10, 1983, as the most convenient date for the plebiscite in Palau. He then read a telegram addressed to the Council from President Remeliik of the Republic of Palau, in which the President expressed the strong desire of the people and Government of Palau that the Council accede to the U.S. request. Finally, Ambassador Sherman noted that the Council had in the past included in the membership of its Visiting Missions representatives of states not themselves members of the Council; he stated the United States would very much welcome the inclusion in the observer missions of other states of the Pacific region, and suggested that the Council President consult with such states to ascertain their willingness to participate in observer missions.

Following Ambassador Sherman's statement the Council heard two petitioners, who discussed the Palau plebiscite, and then adjourned. On December 17, the United Kingdom introduced a resolution calling for the dispatch of observer missions. The Soviet Union opposed the resolution, which was adopted on December 20 by a vote of 3 (France, U.K., U.S.) to 1 (U.S.S.R.). The Council President announced that the Governments of Fiji and Papua New Guinea had agreed to join member states of the Council in furnishing observers for the plebiscites.

U.S. TERRITORIES

American Samoa

American Samoa is an unincorporated and unorganized U.S. territory—lacking an organic act—located 2,300 miles southwest of Hawaii. It comprises seven islands in the South Pacific, with a total of 76 square miles and a population of about 30,000. The United States acquired six of the islands through agreements with indigenous leaders in the early 1900's; the seventh island became an integral part of the territory in 1925.

The Special Committee's Subcommittee on Small Territories[2] considered American Samoa in five meetings between June 8–29, 1982. The U.S. Representative, Douglas Kinney, informed the Subcommittee that the United States was proud of its partnership with the people of American Samoa, who, he noted, had a strong cultural tradition and take pride in governing themselves through their elected representatives. He also noted Samoan developments toward greater economic diversification and self-sufficiency. The Committee later heard a statement by Congressman Fofo I. F. Sunia, the Representative of American Samoa in the U.S. Congress. Mr. Sunia

[2] Afghanistan, Australia, Bulgaria, Chile, Cuba, Czechoslovakia, Ethiopia, Fiji, India, Indonesia, Iran, Iraq, Ivory Coast, Mali, Norway, Trinidad and Tobago, Tanzania, Venezuela, and Yugoslavia.

described briefly the freedom of American Samoa, and its traditional lifestyle, modified gradually by the introduction of modern technology and Western culture. He cited the island's commitment to economic self-sufficiency, and rejected the report of the Committee's Visiting Mission to American Samoa in 1981 that its political status had come about because of economic dependence. Declaring that American Samoans were deeply loyal Americans, he finally expressed his government's objection to the inclusion of American Samoa on the UN's list of non-self-governing territories.

The full Special Committee took up American Samoa on August 5, 1982. It adopted the Subcommittee's report, including previously prepared conclusions and recommendations, and decided without objection to submit a draft consensus resolution to the General Assembly. The draft noted, *inter alia*, that the Office of Economic Development and Planning of the Government of American Samoa was implementing a 5-year economic development plan, and that American Samoa had hosted the 1982 South Pacific Conference of the South Pacific Commission. It also called on the United States to continue to help to strengthen and diversify the economy of the Territory, recommended that senior judges be appointed by the Governor and approved by the legislature, and urged the United States to continue to facilitate close relations and cooperation between American Samoa and its neighbors to enhance their economic welfare.

Guam

Guam, the southernmost island in the volcanic Mariana Islands chain in the western Pacific, is an organized, unincorporated U.S. territory. Located 6,000 miles west of San Francisco, Guam measures about 30 miles long and 4–8 miles wide. Its population numbers about 100,000; military personnel account for some 20%. Guam was ceded to the United States by Spain in 1898 at the conclusion of the Spanish-American War.

The Special Committee's Subcommittee on Small Territories considered Guam at seven meetings between June 15–July 29. Mr. Kinney informed the Subcommittee of the political status referendum held in Guam in January 1982, noting that although no option received a majority, the various options providing for a closer relationship with the United States than now exists received an overwhelming percentage of the votes cast. He also briefly reviewed economic developments in the year, and outlined the political situation of Guam.

In continuation of similar efforts made in the 1981 discussion of Guam, the East Europeans in the Subcommittee again proposed

adoption of perjorative language concerning the military bases in Guam, and, with even less justification, concerning a small facility in the U.S. Virgin Islands. This language, proposed by Czechoslovakia, would have included a reference to resolution 35/118, which called for withdrawal of military bases from non-self-governing territories. However, in the face of a moderate majority opposing this the Czechs withdrew the proposal. The Subcommittee subsequently approved a report on Guam, although Iran registered a reservation on the section on the bases.

The full Special Committee considered Guam on July 1 and August 5, approving a draft consensus to be submitted to the General Assembly. The text noted, *inter alia*, that a referendum on political status had been held in Guam on January 30, 1982; called on the United States to take all necessary steps to strengthen and diversify the economy of Guam; to accelerate the transfer of land to the people of Guam; to remove the constraints which limit its economic development; to safeguard the rights of the people of Guam to their national resources; and to strengthen and promote the language and culture of the Chamorro people. On the issue of the bases, the Committee simply urged the United States to ensure that the bases did not hinder the people of Guam from exercising their rights to self-determination and independence, and to comply with the relevant UN resolutions.

U.S. Virgin Islands

The U.S. Virgin Islands, located 1,000 miles southeast of Miami, are part of the curving chain of the Greater and Lesser Antilles separating the Caribbean Sea and the Atlantic Ocean. Of the 50 islands that constitute this organized, unincorporated territory, the three most prominent are St. Thomas, St. Croix, and St. John. The population of the U.S. Virgin Islands is about 100,000 and total land area is 130 square miles. The U.S. Virgin Islands were purchased from Denmark in 1917.

The Subcommittee on Small Territories considered the Virgin Islands in six meetings between June 22–July 29, 1982. Mr. Kinney informed the Subcommittee that in its efforts to support Virgin Islands involvement in the activities of the Caribbean region the United States was prepared to support associate membership of the Virgin Islands in ECLA, and was taking measures to increase their participation in other international activities which were of particular interest or relevance to the islands. After reviewing briefly some political and economic developments in the year, he reaffirmed U.S. dedication to the principles of self-government and self-determination in respect to the Virgin Islands. The Subcommittee also heard a

statement by Mr. Carlyle Corbin, of the Office of the Governor of the Virgin Islands, who reported on recent developments in the political conditions of the islands, and expressed appreciation for U.S. concurrence and encouragement for the expansion of the Virgin Islands role in regional and other international organizations.

As with the discussion on Guam, the Subcommittee's consideration of the Virgin Islands focused on a proposal by Czechoslovakia to include a note on the military facilities in the islands. However, again they were forced to withdraw their amendment in the face of the moderate majority who opposed this. The report was adopted without the inclusion of this paragraph, with Bulgaria, Cuba, and Czechoslovakia making reservations on this point.

The report included a note that the Virgin Islands Government had pursued efforts to diversify its economy, and urged that the United States cooperate in those efforts. It also noted improvements made in construction and manufacturing. The Committee urged the United States to speed legislation to solve the problem of the aliens in the Virgin Islands, and to continue to improve social conditions, noting with satisfaction in that regard efforts to revitalize health care programs, to improve crime prevention, and to expand and upgrade school facilities.

The full Special Committee considered the Virgin Islands on August 5. It approved the Subcommittee's report and decided without objection to submit to the General Assembly a draft resolution, which contained the points outlined above, and noted that a proposed constitution submitted to a referendum on November 3, 1981, after an extensive debate was not accepted by the people of the Territory. The draft further called upon the United States to facilitate the work of the recently established Status Commission and to ensure that the people of the territory were fully informed of the discussions concerning their future political status.

General Assembly Action

American Samoa, Guam, and the U.S. Virgin Islands were considered along with a number of other small territories by the 37th General Assembly's Fourth Committee between October 26–November 15, under the agenda item "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples." On November 11, 1982, the U.S. Representative, Ambassador Sherman, made a comprehensive statement by the Fourth Committee on Guam, American Samoa, and the U.S. Virgin Islands. He pointed out that the territories' close association with the United States was demonstrably the result of their free exercise of the right of self-determination, and that the people of the American territories were

well able to determine their present and future relationships with the United States. He noted that his Government had worked to ensure the political, economic, social, and educational development of the inhabitants, spending more than $400 million over the past 10 years for development in the islands, with $24 million budgeted for this purpose in 1983. He further noted the U.S. assistance in the development of local democratic political institutions, with each territory electing its own governor and legislature. The United States, he stated, respected—even venerated—the principle of self-determination, and believed that the Charter imposed a similar obligation on the members of the General Assembly, i.e., that they also respect the freely expressed wishes of the people of the territories.

On November 15 the Fourth Committee approved by consensus the proposed drafts of the Special Committee, and the plenary Assembly adopted the draft resolutions, also by consensus, on November 23. The resolutions were as follows: American Samoa, resolution 37/20; Question of Guam, resolution 37/21; and for the U.S. Virgin Islands, resolution 37/26.

NAMIBIA

Security Council

During 1982, the Western Five Contact Group (Canada, France, Federal Republic of Germany, United Kingdom, and United States) who since 1977 have acted as intermediaries in an attempt to find a negotiated solution to the Namibia conflict, continued to negotiate the terms of the UN Plan for Namibia, as approved in UN Security Council resolution 435 (1978) with the parties to the negotiations. That Plan calls for a cease-fire period and free and fair elections for a Namibian constituent assembly supervised by a United Nations Transition Assistance Group (UNTAG).

On July 12, 1982, a letter to the Secretary General from the Permanent Representatives of the five governments transmitted the text of principles concerning the constituent assembly and the constitution for an independent Namibia. The letter noted that all parties to the negotiation had accepted the principles and that a decision on the method to be employed to elect the constituent assembly would be made in accordance with resolution 435, and that the issue would not cause delay in the negotiations.

The principles for the constituent assembly included the following: adoption of the constitution by a two-thirds majority; the constitution will be the supreme law of the state and may be amended only by a designated process involving the legislature and/or votes cast in a popular referendum; a government made up of executive, legisla-

tive, and judicial branches; a declaration of fundamental rights, (including the right to life, personal liberty, freedom of movement; freedom of assembly and association; due process and equality before the law; protection from arbitrary deprivation of property without just compensation; freedom from racial, ethnic, religious, or sexual discrimination); a balanced public, police, and defense service with equal access by all; and provision for establishment of elected councils for local and/or regional administration.

General Assembly

The question of Namibia was discussed at seven meetings of the General Assembly between December 13–20. More than 90 countries participated in the debate on this issue and all representatives recognized the need for a resolution of the conflict in Namibia and the right of the Namibian people to self-determination and independence. On December 15 the French Representative, Ambassador de la Barre de Nanteuil, spoke on behalf of the Western Five Contact Group. He noted that during July and August consultations had been held in New York with Front Line states, Nigeria, and SWAPO,[3] and there were concurrent consultations with South Africa. Important agreements had been reached on a number of outstanding issues, including the question of impartiality and the size, composition, and deployment of UNTAG. He added that the opportunity existed "to bring about a settlement which would make it possible both to strengthen peace and security and to foster economic development in the region." He called upon the international community to support the Contact Group effort to achieve the shared goal of peaceful settlement.

On December 20, representatives of various countries introduced the five draft resolutions recommended for adoption by the UN Council for Namibia in its report to the General Assembly. All were adopted by the plenary Assembly the same day.

The French Representative had made reference to these resolutions and noted that the members of the Contact Group had numerous reservations and did not believe the resolutions would advance the goal of Namibian independence. He added, however, that despite the contentious character of the resolutions, the Contact Group would, as in the past, abstain so as not to compromise their role as negotiators. He emphasized that these abstentions were purely procedural and did not imply a position on the merits of the resolutions.

Guyana introduced the first draft "Situation in Namibia resulting from the illegal occupation of the Territory by South Africa." *Inter*

[3] South West African People's Organization, the national liberation movement of Namibia.

alia, the draft (1) reaffirmed the right of the people of Namibia to self-determination and independence; (2) reaffirmed that SWAPO is the sole and authentic representative of the Namibian people; (3) reaffirmed that resolution 435 is the only basis for peaceful settlement of the Namibian question; (4) strongly condemned South Africa for persistent acts of subversion and aggression against Angola as well as for its military buildup in Namibia, and for repression of the Namibian people; (5) condemned collusion by certain Western governments and other countries, particularly the United States and Israel, with South Africa in the nuclear field; (6) deplored the collaboration of the IMF with South Africa in disregard of resolution 37/2 of 1982; and (7) urged the Security Council to impose comprehensive mandatory sanctions against South Africa as provided for in Chapter VII of the Charter. The resolution was adopted by a vote of 120 to 0, with 23 (U.S.) abstentions. (Resolution 37/233 A.)

The second resolution entitled "Implementation of Security Council Resolution 435 (1978)" was introduced by Nigeria. It reaffirmed the direct responsibility of the United Nations for Namibia and rejected persistent attempts by the United States and South Africa to establish any linkage or parallelism between the independence of Namibia and any extraneous issues, in particular the withdrawal of Cuban forces from Angola. It also requested the Security Council to exercise its authority for the implementation of resolution 435. This draft was adopted by a vote of 129 to 0, with 17 (U.S.) abstentions. (Resolution 37/233 B.)

The next draft was introduced by India and entitled "Program of work of the UN Council for Namibia." The draft (1) set out the responsibilities of the Council; (2) decided that Namibia should participate as a full member in all conferences and meetings organized by the UN; (3) requested that all specialized agencies, other organizations, and conferences of the UN system grant full membership to Namibia as represented by the UN Council for Namibia; (4) welcomed the admission of Namibia as a full member of the International Atomic Energy Agency, the International Telecommunication Union, and the Executive Committee of the UN High Commissioner for Refugees; and (5) decided that an International Conference in Support of the Struggle of the Namibian People for Independence should be held at the headquarters of UNESCO in Paris during 1983. By a vote of 139 to 0, with 8 (U.S.) abstentions, the draft was adopted as resolution 37/233 C.

"Dissemination of Information and Mobilization of International Public Opinion in Support of Namibia" was next introduced by Bulgaria. This draft requested the UN Council for Namibia to consider ways to increase the dissemination of information on Namibia; called on the Secretary General to ensure that the UN Department of Public Information intensify efforts to generate

publicity, particularly in Western countries, about Namibia; and asked member states to broadcast programs on national television and radio, and publish material to inform their public about the situation in Namibia. The draft was adopted by a vote of 127 to 0, with 20 (U.S.) abstentions. (Resolution 37/233 D.)

The final draft "United Nations Fund for Namibia" was introduced by Venezuela. Adopted by a vote of 141 to 0, with 5 (U.S.) abstentions, the resolution, *inter alia*, appealed to governments for contributions to the Fund; decided that the Council should continue to formulate policies of assistance for Namibia, act as trustee for the Fund, and provide broad guidelines and formulate principles and policies for the UN Institute for Namibia; requested the Council to carry out a demographic study of its educational needs; and commended the specialized agencies and bodies for past assistance, including UNDP assistance to the Nationhood Program for Namibia. (Resolution 37/233 E.)

OTHER QUESTIONS

Puerto Rico

The vote on Puerto Rico was both a victory for the United States and a substantial defeat for Cuba—whose intention was to embarrass the United States by denying the legitimacy of the U.S. relationship with Puerto Rico and also of Puerto Rico's enjoyment of self-determination and self-government.

The vote in the General Assembly (30 to 70 (U.S.), with 43 abstentions) was a stunning and, for Cuba, unexpected demonstration that the United States was no longer defenseless in the General Assembly. It was vital that the United States defeat the Cuban attempt at the 37th session to place Puerto Rico on the agenda and thereby reinstitute UN examination of Puerto Rico under the rubric of "Decolonization." The political harm to U.S. interests would have been great. This rollback of 10 years of Cuban diplomacy at the United Nations and in the Non-Aligned Movement was a significant accomplishment.

The General Assembly had removed Puerto Rico from the list of non-self-governing territories in 1953 (resolution 748 (VIII)), 1 year after Puerto Rico adopted its current commonwealth form of government. In recent years, in spite of U.S. objections that it has no authority to do so, the Special Committee on Decolonization, at the instigation of Cuba, has held hearings on Puerto Rico under the agenda item, "Question of the List of Territories to Which the Declaration [on the Granting of Independence to Colonial Countries and Peoples] is Applicable." The United States does not participate in the Special Committee's consideration of Puerto Rico on the

grounds that such consideration is outside the jurisdiction of the Special Committee and constitutes interference in the internal affairs of the United States and Puerto Rico.

The Special Committee considered the question of Puerto Rico in several meetings between August 2–4, 1982. The first part of the debate was taken up with statements from petitioners from minor Puerto Rican parties and other interest groups, who for the most part called for Puerto Rican independence. On August 4 the Committee considered a hostile Cuban draft resolution, which in its key paragraphs reaffirmed the right of Puerto Rico to "self-determination *and* independence" (emphasis added), and called for the General Assembly to consider the "question of Puerto Rico" at its 37th session. The resolution, reaffirming its call for inscription of the previous year, was passed, although only 10 of the 25 members of the Committee voted in favor of the paragraph calling for General Assembly consideration of the matter.

The U.S. challenge of the previous year had, however, established that this was insufficient for inscription. Cuba had to try on its own initiative for inscription. On August 18, Cuban Foreign Minister Malmierca requested inclusion of this item on the agenda of the 37th General Assembly, citing in his explanatory memorandum the Special Committee's recommendation (which, following the ruling of the President of the Assembly in 1981, was in itself insufficient to obtain inscription). The "question of Puerto Rico" was included on a supplementary list to the General Assembly's provisional agenda as a result of this request, and passed to the Assembly's General (Steering) Committee[4] for its recommendation.

The General Committee considers all items on the provisional agenda and makes recommendations to the plenary, which then makes the final decision on the Assembly's agenda. On September 22, 1982, the Committee rejected the Cuban request by a vote of 7 to 11 (U. S.), with 8 abstentions. Before the vote Ambassador Kirkpatrick addressed the Committee, affirming the strong opposition of the United States to the inclusion of the item on the agenda as constituting an unacceptable, improper intervention in the affairs of the United States and Puerto Rico. She reviewed the history of the association of Puerto Rico with the United States since its adoption of commonwealth status in 1952, noting the recognition by the UN General Assembly in 1953 that by this act the people of Puerto Rico had exercised their right to self-determination. (Resolution 748 (VIII).) Ambassador Kirkpatrick pointed out that the history of the free elections in Puerto Rico since that time had shown little support

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[4] The General Committee consists of the President of the Assembly, the 21 Vice Presidents, and the Chairmen of the seven Main Committees. In 1982 the members of the General Committee were Austria, China, Congo, Cyprus, Democratic Yemen, France, Haiti, Hungary, Jamaica, Kuwait, Libya, Mali, Nicaragua, Philippines, Qatar, Turkey, Uganda, U.S.S.R., United Kingdom, United States, Upper Volta, and Zambia.

for independence and no reason to justify the intervention by the United Nations in U.S. and Puerto Rican affairs. She affirmed the right of Puerto Rico to determine its future in any way it sees fit and expressed the respect of the U.S. Government for that right. Finally, she urged all nations to respect the decisions of the General Assembly and the right of the Puerto Rican people to determine their future without external interference.

The plenary Assembly convened September 24, 1982, to consider the recommendations of the General Committee. As expected, the Cuban representative challenged the Committee's decision against the inscription of Puerto Rico and asked that it be placed on the agenda. Cuba argued that the Puerto Rican people's right to self-determination and independence was being violated by the United States and cited the Special Committee resolutions of 1981 and 1982, as well as several Non-Aligned Movement declarations. Herman Padilla, the Mayor of San Juan, Puerto Rico, a member of the U.S. Delegation, rebutted the Cuban arguments, noting that four Presidential Administrations and the U.S. Congress had reaffirmed their pledge to respect the right of the people of Puerto Rico to determine their political future through a peaceful process, open and democratic. He declared "Puerto Rico is not an international problem, nor does it want to be. We have the capability, the democratic experience, and the legal and legislative mechanism for consulting the people. The international community has recognized this in the past and should recognize it in the present." After outlining briefly UN action on Puerto Rico and the economic and social conditions in the island, he concluded: "Our democratic system does not need the intervention of the international community. We Puerto Ricans, and only we, will decide how, and when, our political status will be altered. This is our responsibility. This is our right. This is our destiny."

Following his statement, the Assembly overwhelmingly rejected the Cuban challenge, upholding the General Committee's decision by a vote of 30 to 70 (U.S.), with 43 abstentions.

Western Sahara

The conflict in Western Sahara dates to 1976, when Spain transferred administrative control of the territory to Morocco and Mauritania. From Algeria the POLISARIO[5] launched a guerrilla war against Mauritania and Morocco to obtain independence for the entire territory. Mauritania withdrew from the territory in 1979. Morocco subsequently extended its territorial claims to include one-third of the Sahara formerly claimed by Mauritania, and the

[5] Frente Popular para la Liberacion de Saguia el Hamra y Rio de Oro.

guerrilla war between the POLISARIO and Morocco continued. The U.S. position has been to facilitate a peaceful settlement acceptable to all parties.

In June 1981 progress toward a solution to the Western Sahara situation was made at the Nairobi OAU Summit Conference. Agreement was reached on the principle of a cease fire and referendum. An Implementation Committee established by the Summit Conference met in Nairobi August 24–26 to consider implementing the Conference's decision. The Implementation Committee made specific recommendations for establishment and maintenance of a cease fire and conduct of a general and free referendum in Western Sahara.

The Fourth Committee considered the question of Western Sahara at six meetings between November 2–12. As in the previous year a draft decision and a draft resolution were submitted to the Committee.

The first, introduced on November 9 by Senegal on behalf of the 14 sponsors, *inter alia*, recalled a similar draft decision of the previous year (Decision 36/406); took into account the resolutions of the OAU heads of state meeting in Nairobi in June 1981, by which it established an Implementation Committee to monitor the establishment of a cease fire and the organization of a referendum in Western Sahara as well as the decisions adopted by that Committee at its first and second sessions in August 1981 and February 1982; and requested the Secretary General to give assistance to the Implementation Committee in the discharge of its mandate.

At the same meeting, Mexico, on behalf of 36 other sponsors, introduced a revised draft resolution which was almost identical with the resolution of the previous year. (Resolution 36/46.) The draft, among other things, (1) reaffirmed the right of the people of Western Sahara to self-determination, (2) singled out the POLISARIO and Morocco as the parties to the dispute, (3) urged them to negotiate, and (4) reaffirmed the determination of the United Nations to cooperate fully with the OAU in the fair and impartial organization of the referendum and urged the Secretary General to cooperate closely with the OAU Secretary General to this end.

On November 12 the representative of Senegal informed the Committee that the sponsors of the draft decision had decided to withdraw the proposal in view of an agreement reached among the delegations concerned on the text of a consensus. Kenya, in its capacity as the delegation representing the Chairman of the OAU for the current year, then introduced the draft consensus which was identical to the withdrawn draft decision. It was approved in Committee without objection on November 12 and the draft resolution was approved the same day by a recorded vote of 74 to 12 (U.S.), with 55 abstentions.

The plenary Assembly considered the drafts on November 23. The consensus was adopted without a vote. (Decision 37/411.) The resolution was adopted by a rollcall vote of 78 to 15 (U.S.), with 50 abstentions. (Resolution 37/28.) The United States had also voted against the similar resolution the previous year because it felt that the draft resolution went beyond the formulation of the OAU Implementation Committee and attempted to prejudge the outcome of the current negotiations. It did, however, fully support the draft decision that requested the Secretary General to assist the OAU efforts.

East Timor

East Timor was a Portuguese colony until 1975. FRETILIN[6] emerged as the militarily dominant group in mid-1975, amid civil strife among competing Timorese factions. Indonesia, concerned that the unsettled political situation posed a security threat to neighboring Indonesian territory and responding to an appeal from non-FRETILIN Timorese elements, sent troops into East Timor in December 1975. The territory was integrated formally into Indonesia on July 17, 1976.

At the 37th General Assembly the Fourth Committee discussed East Timor between October 26–November 15. Once again, as it has done in previous years, Portugal introduced a resolution which (1) requested the Secretary General to initiate consultations with all concerned parties with a view to achieving a comprehensive settlement of the problem; (2) requested the Special Committee on Decolonization to keep the situation under active consideration and render all necessary assistance to the Secretary General; and (3) called on all bodies of the Organization to assist within their respective fields of competence, the people of East Timor, in close consultation with Portugal as the administering power.

The resolution was approved in Committee on November 15 by a vote of 48 to 42 (U.S.), with 54 abstentions. It was adopted in the plenary Assembly on November 23 by a rollcall vote of 50 to 46 (U.S.), with 50 abstentions. (Resolution 37/30.) This was a gain for Indonesia from the previous year's vote on a similar resolution (54 to 42 (U.S.), with 46 abstentions) and continued a trend of the last few years in Indonesia's favor.

The United States did not speak during the debate, but voted against the resolution as it has done previously on similar resolutions, because it does not believe any of the resolutions would serve any constructive purpose.

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[6] Frente Revolucionaria de Timor Leste Independente.

Other Territories

Under an agenda item "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples," the Fourth Committee at 15 meetings between October 26–November 15 considered and approved the chapters of the report of the Committee of 24 relating to those territories not covered by other agenda items. In addition to the resolutions on U.S. territories (discussed in previous sections of this report), the Committee approved resolutions consensuses, and decisions on other areas as follows.

On Bermuda, the Assembly reaffirmed the need to foster national unity and a national identity. Steps taken toward the establishment of a human rights commission were welcomed by the Assembly which also reiterated its call for the administering Power to continue to expedite the process of "bermudianization," particularly of the public service. (Resolution 37/22.)

On the British Virgin Islands, the Assembly urged the specialized agencies and other UN organizations, as well as regional institutions, to take measures to accelerate progress in the social and economic life of the Territory. (Resolution 37/23.)

On the Cayman Islands, the Assembly reaffirmed that it was ultimately for the people of the Cayman Islands themselves to determine their future political status and welcomed the continuing assistance provided to the Territory by the United Nations Development Program (UNDP). (Resolution 37/24.)

On the Turks and Caicos Islands, the Assembly called for a greater attention to economic diversification and urged the specialized agencies and UN organizations, as well as regional institutions, to continue to pay special attention to the development needs of the islands. (Resolution 37/25.)

On Montserrat, the Assembly urged the administering Power to continue to intensify and expand its program of aid in order to accelerate the development of the economic and social infrastructure of the Territory. (Resolution 37/27.)

Under a consensus on Gibraltar, the Assembly urged Spain and the United Kingdom to initiate negotiations, with the aim of reaching a lasting solution to the problem of Gibraltar in the light of relevant Assembly resolutions and in the spirit of the UN Charter. (Decision 37/412.)

Under a consensus on the Cocos (Keeling) Islands, the Assembly reaffirmed that it was the responsibility of the administering Power to create conditions under which the people of the Islands would be able to determine freely their own future. (Decision 37/413.)

Under a consensus on Tokelau, the Assembly noted that the people of the Territory had expressed the view that, at the present time, they did not wish to review the nature of the existing relationship

between Tokelau and New Zealand, the administering Power. (Decision 37/414.)

Under a consensus on Pitcairn, the Assembly took note of the statement from the U.K. representative affirming its policy to encourage as much local initiative and enterprise as possible. (Decision 37/415.)

Under a consensus on St. Helena, the Assembly urged the administering Power, in consultation with freely elected representatives of the people of St. Helena, to continue to take all steps to ensure the speedy implementation of the Declaration. (Decision 37/416.)

The Assembly also decided to defer until its 38th session the consideration of the questions of Brunei, St. Kitts-Nevis, and Anguilla.

General Resolutions on Colonialism

As in previous years, the General Assembly adopted a number of resolutions dealing with various aspects of colonialism and racial discrimination. These resolutions were adopted under several different agenda items.

FOURTH COMMITTEE RESOLUTIONS

At eight meetings between October 11–26, the Fourth Committee considered the agenda item "Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the granting of Independence to Colonial Countries and Peoples in Namibia and in all other Territories under colonial domination and efforts to eliminate colonialism, apartheid, and racial discrimination in southern Africa."

During discussion of the item, October 25, the U.S. Representative in the Fourth Committee, Ambassador Sherman, said that the United States could not accept the view that turning our backs on the people of South Africa could solve its problems. He said that his Government was committed to assisting evolutionary change in South Africa through economic and commercial involvement.

On October 26, the Chairman drew attention to a draft resolution which, *inter alia*, affirmed the right to self-determination and independence; condemned foreign economic activities, particularly in South Africa, as detrimental to the interests of the people of those countries; strongly condemned nuclear collaboration with South Africa by certain states; condemned all military activities in Namibia and other colonial territories; and called upon those oil-producing and oil-exporting countries which had not already done so to take effective measures against the oil companies which supply petroleum products to South Africa.

At the same meeting the Committee took action on the draft decision contained in the Report of the Special Committee on Decolonization which, *inter alia*, condemned the continued military collaboration and support which certain Western governments and other states rendered to the Government of South Africa and also condemned continued nuclear collaboration with South Africa by some of these same unnamed states.

In his explanation of vote on the draft decision, Ambassador Sherman said the United States would vote against the draft decision because it could not accept the premise on which it was based; namely, that activities of foreign economic and other interests were all bad and the presence of military bases in non-self-governing territories was automatically a hindrance to self-determination. He also suggested that a list of places where Soviet troops are more powerful than indigenous soldiers would be a welcome addition to a list of "colonial territories." Finally, he reminded the Committee that the United States and other members of the Contact Group were fully engaged in efforts to find a solution to bring about internationally recognized independence in Namibia.

The draft resolution and decision were approved on October 26 by recorded votes of 99 to 6 (U.S.), with 17 abstentions, and 94 to 10 (U.S.), with 16 abstentions, respectively. The General Assembly in plenary session on November 23 adopted the draft resolution by a recorded vote of 128 to 7 (U.S.), with 16 abstentions. (Resolution 37/31.) At the same meeting it adopted the draft decision by a vote of 123 to 11 (U.S.), with 15 abstentions. (Decision 37/420.)

Under the agenda item "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the Specialized Agencies and the International Institutions Associated with the United Nations," the Fourth Committee approved November 11 by a vote of 110 to 4 (U.S.), with 21 abstentions, a draft resolution contained in the report of the Special Committee on Decolonization. The resolution was adopted by the plenary Assembly on November 24 by a recorded vote of 128 to 4 (U.S.), with 20 abstentions. (Resolution 37/32.)

The resolution, almost identical to the resolution of the previous year, *inter alia*, affirmed the legitimacy of the struggle of colonial peoples and their liberation movements and requested UN specialized agencies to provide all moral and material assistance to the newly independent and emerging states. The resolution condemned "the illegal colonialist regime of Pretoria," and requested UN specialized agencies to extend material assistance to the people of Namibia and their "sole and authentic representative, the South West Africa People's Organization."

As in previous years, the United States supported two resolutions concerning education and training for indigenous inhabitants of non-

self-governing territories. The first resolution, introduced by Canada on November 5 and sponsored by 39 states, addressed the "UN Educational and Training Program for Southern Africa" (UNETP-SA). The resolution, approved by the Fourth Committee without a vote on November 16, continued a program of scholarships for university students from South Africa and Namibia and appealed for further additional contributions. The resolution was adopted by the General Assembly also without a vote on November 23. (Resolution 37/33.)

The second resolution, entitled "Offers by member states of study and training facilities for inhabitants of non-self-governing territories," expressed appreciation to those member states which had made scholarships available to the inhabitants of non-self-governing territories and invited them to continue doing so. The resolution was approved by the Fourth Committee on November 16, and by the plenary Assembly on November 23, both without votes having been taken. (Resolution 37/34.)

PLENARY RESOLUTIONS

The General Assembly also adopted several resolutions that were submitted directly to the plenary. Two of the resolutions were submitted under the agenda item "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples," and were adopted on November 23. The first, sponsored by 28 countries, (1) affirmed the legitimacy of the struggle for self-determination by all necessary means; (2) condemned the activities of foreign economic interests impeding respect of the Declaration, particularly in Namibia; (3) condemned all nuclear and other collaboration with South Africa; and (4) requested all states to withhold assistance "of any kind" from South Africa, until its people achieved self-determination and independence. The resolution was adopted by a recorded vote of 141 to 2 (U.K., U.S.), with 8 abstentions. (Resolution 37/35.)

Speaking before the vote, the U.S. Representative, Gordon Luce, said that his delegation would vote against the draft resolution because the recommendations contained in it did not in any way materially advance the progress of decolonization. He expressed concern over the operative paragraph which recognized the legitimacy of peoples under "colonial domination" to exercise their right to self-determination by "all necessary means at their disposal." Such a statement, he said, came perilously close to providing blanket endorsement for random and indiscriminate murder, hijacking, or the killing of diplomats.

The second resolution, sponsored by 24 countries, dealt with "Dissemination of Information on Decolonization." The resolution

was similar to a resolution dealing with the same subject the previous year. Among other things, the resolution approved the chapter of the report of the Special Committee on Decolonization relating to the dissemination of information on colonialism; requested the Secretary General to continue to take concrete measures, through all media at his disposal, to give widespread publicity to UN work on decolonization; and invited all states to cooperate with the Secretary General in the dissemination of decolonization information. The resolution was adopted by a recorded vote of 148 to 0, with 5 (U.S.) abstentions. (Resolution 37/36.)

On November 16 the General Assembly considered a resolution entitled "Cooperation between the United Nations and the Organization of African Unity." The resolution was sponsored by 50 African states, members of the Organization of African Unity (OAU).

The resolution, *inter alia*, (1) reiterated the determination of the United Nations, in cooperation with the OAU, to intensify its efforts to eliminate colonialism, racial discrimination, and apartheid in southern Africa; (2) called upon competent UN organizations and bodies to give urgent consideration to the various recommendations and proposals contained in the conclusions of the Geneva meeting with the objective of enhancing cooperation between the UN system and the OAU; (3) reiterated its appreciation to the Secretary General for his efforts to organize and mobilize special economic assistance programs for African states experiencing grave economic difficulties, in particular for newly independent African states and the Front Line states, to help them cope with the situation caused by the "acts of aggression committed against their territories by the apartheid regime of South Africa"; (4) urged support from members of the UN system for refugee programs and provision of material and economic assistance to help host countries to cope with the heavy burden imposed on their limited resources; and (5) urged specialized agencies and other organizations concerned with the UN system to continue and expand their cooperation with the OAU and, through it, their assistance to the liberation movements recognized by that organization.

The U.S. Representative, Senator J. Bennett Johnston, introduced an amendment to the resolution which would be added as a final operative paragraph and read as follows:

> "Authorizes the Secretary General to implement the activities approved under the present resolution only to the extent that they can be financed without exceeding the level of resources approved in the 1982–83 program budget."

Senator Johnston pointed out that the United States was submitting similar amendments both in the plenary and in various committees to emphasize the seriousness with which it viewed the problem of increasing UN spending. He went on to say that in introducing this amendment the United States wished to make three simple, forceful points. First, the United States supported coopera-

tion between regional organizations and the United Nations. The benefits were multiple and should be fostered. Secondly, the United States was deeply and seriously disturbed by escalating costs and by fiscal practices that add on expenditures with no thought of how they should be, could be, or will be financed. Thirdly, the United States believed that a much more serious, systematic effort to establish control over the UN budget must be undertaken to bring the budget under control. The world changes and new needs arise. New programs must be undertaken and superannuated programs should be reduced and eventually eliminated.

The U.S. amendment was rejected by a rollcall vote of 1 (U.S.) to 117, with 22 abstentions. The resolution was adopted without a vote on November 16. (Resolution 37/15.)

Part 4

Legal Developments

Significant legal issues on both substantive and procedural matters frequently arise in connection with U.S. participation in a wide variety of UN activities and in nearly all international organizations. Many of these legal matters are discussed in other parts of this report in the context of the underlying issues or particular international organizations to which they relate, including review of the UN Charter, law of the sea, uses of outer space, international human rights instruments, International Labor Organization matters, UN administration and budget, and UN trusteeship issues. Part 4, therefore, deals separately with 1982 activities of an exclusively legal character, such as those of the International Court of Justice, the International Law Commission, the UN Commission on International Trade Law, the Sixth (Legal) Committee of the General Assembly, and special international conferences or committees that consider legal questions involving the drafting of certain treaties or the relations between the United States as a host country on the one hand and the United Nations and missions to the United Nations on the other. As indicated above, drafting exercises concerning international human rights instruments are discussed in Part 2 of this report.

INTERNATIONAL COURT OF JUSTICE

The International Court of Justice is the principal judicial organ of the United Nations. The Court's main functions are to decide cases submitted to it by states and to give advisory opinions on legal questions at the request of intergovernmental bodies authorized pursuant to the Statute of the Court and the UN Charter.

The Court is composed of 15 judges, no 2 of whom may be nationals of the same state, elected by the UN General Assembly and the Security Council, voting independently, from a list of persons nominated by national groups of the Permanent Court of Arbitration. The electors are mandated to bear in mind the qualifications of the individual candidates and the need for the Court as a whole to represent the main forms of civilization and the principal legal systems of the world. Court members are elected for 9-year terms, with one-third of the total number of judges elected every 3 years.

In February 1982 after elections in the General Assembly and Security Council in November 1981, five judges commenced new 9-year terms. Two were incumbents—Judges Nagendra Singh (India) and Jose Maria Ruda (Argentina)—and the others, Judges Sir Robert Y. Jennings (U.K.), Guy Ladreit de Lacharriere (France), and Keba Mbaye (Senegal) replaced Sir Humphrey Waldock (U.K.), Andre Gros (France) and Isaac Forster (Senegal), respectively. In March 1982 Judge Mohammed Bedjaoui (Algeria) was elected to fill the vacancy left by the death of Egyptian Judge Abdullah El-Erian for the remainder of that unfinished term.[1]

The Court submitted to the 37th General Assembly a brief report on its activities from August 1, 1981–July 31, 1982. The report contained information on the Court's composition, jurisdiction, judicial work, administration, and publications. The General Assembly took note of the report at its 110th plenary meeting on December 17.

Cases

CONTINENTAL SHELF (TUNISIA/LIBYAN ARAB JAMAHIRIYA)

The Continental Shelf (Tunisia/Libyan Arab Jamahiriya) case remained before the Court during 1982. The dispute between Tunisia and Libya over the delimitation of the continental shelf between them had been referred to the Court by special agreement between the parties notified to the Registrar of the Court by Tunisia on December 1, 1978, and by Libya on February 19, 1979. Both parties filed their Memorials before the May 30, 1980, time limit; subsequently exchanged Counter-Memorials before February 2, 1982; filed additional written pleadings by July 15, 1981; and submitted written observations on the January 30, 1981, application filed by Malta requesting permission to intervene under Article 62 of the Statute of the Court. (The Court unanimously turned down that request the following April because Malta had not invoked a legal interest of a nature that might be affected by the decision in the case.)

On February 24, 1982, the Court delivered its judgment (*I.C.J. Reports*, 1982, p. 18) finding, *inter alia*, that the principles and rules of international law relevant to delimitation of the areas of continental shelf appertaining to the two parties, respectively, were that the delimitation was to be effected in accordance with equitable principles, taking into account all relevant circumstances, in order to achieve an equitable result, and that the particular geographical structure of the continental shelf areas in question was not such as to determine an equitable line of delimitation. The Court then described the specific method to be used to delimit the boundary.

[1] See appendix for membership.

ADVISORY OPINION ON JUDGMENT NO. 273 OF THE UNITED NATIONS ADMINISTRATIVE TRIBUNAL

On July 28, 1981, the UN Committee on Applications for Review of Administrative Tribunal Judgments, acting at the request of the United States, submitted to the Court a request for an advisory opinion concerning a judgment of the UN Administrative Tribunal.

The case arose out of a challenge by a UN staff member to the application to him of a General Assembly decision to end the longstanding secretariat administrative practice of paying the UN's repatriation grant to expatriate employees upon termination of their UN service without requiring any evidence that the employee was, in fact, repatriating or relocating to a country other than the last duty station. On May 15, 1981, the UN Administrative Tribunal, with Mr. Reis (U.S.) dissenting, found in favor of the staff member, holding that he was entitled to receive the grant under the former administrative practice and this entitlement to the grant without evidence of relocation was an "acquired right." The United States invoked the procedure for review of Administrative Tribunal judgments provided for in Article 11 of the Tribunal's Statute (which had never before been invoked by a UN member state), basing its objection to the Tribunal's judgment on two of the four possible grounds for appeal: that the Administrative Tribunal had erred on a question of law relating to the provisions of the UN Charter and that the Tribunal had exceeded its jurisdiction or competence. The Committee on Applications for Review of Administrative Tribunal Judgments decided in July 1981 that there was substantial basis for the U.S. application and requested an advisory opinion of the Court on whether the Tribunal had been warranted in determining that the relevant General Assembly resolution could not be given immediate effect in requiring, for the payment of repatriation grants, evidence of relocation to a country other than the country of the staff member's last duty station.

The Court received the views of the staff member, transmitted by the Secretary General as required by the Administrative Tribunal review procedures. Pursuant to a Court decision allowing member states to submit statements on the question under Article 66(2) of the Statute of the Court, the United States and France submitted, in November 1981, such written statements, which in the case of France supported the Tribunal's judgment. Both countries also submitted a second round of comments by April 15, 1982, in accordance with Article 66(4) of the Court's Statute.

On July 20, 1982, the Court delivered its Advisory Opinion (*I.C.J. Reports 1982*, p. 325) in which it (1) by 9 votes to 6 decided to comply with the request for an advisory opinion; (2) issued the opinion (A) by 10 votes to 5, that the Administrative Tribunal had not erred on a

question of law relating to the provisions of the UN Charter, and (B) by 12 votes to 3, that the Tribunal did not commit an excess of the jurisdiction or competence vested in it. The Court considered that its role was not to review the merits in the case nor to reinterpret Staff Regulations and Rules where such interpretation by the Tribunal did not involve an error of law relating to a Charter provision, and where the Tribunal had not exceeded its jurisdiction in its interpretation and application of the terms of the staff member's appointment and the relevant Staff Regulations and Rules and General Assembly resolutions, and had used a notion of acquired rights derived, in the Court's view, from the Assembly's Staff Regulations. Judges Lachs, Morozov, El-Khani, and Schwebel appended dissenting opinions.

DELIMITATION OF THE MARITIME BOUNDARY IN THE GULF OF MAINE AREA (CANADA/UNITED STATES OF AMERICA)

On November 25, 1981, Canada and the United States notified the Court of a Special Agreement which entered into force on November 20 by which they submitted to a Chamber of the Court a question concerning the delimitation of the maritime boundary dividing the continental shelf and fisheries zones of the two parties in the Gulf of Maine area. This is the first case in which parties have invoked the provisions of the Statute of the Court that allow for the formation of a Chamber to hear a specific case. After the parties had supplied answers to particular questions concerning the interpretation of the Statute and Rules of the Court, the Court on January 20, 1982, by 11 votes to 2, adopted an Order duly constituting a special chamber for the purpose requested. The Chamber was composed of Judges Gros, Ruda, Mosler, Ago, and Schwebel; as agreed, Judge Ruda was replaced in due course by Judge *ad hoc* Cohen chosen by Canada in accordance with Article 31 of the Court's Statute. Canada and the United States filed their Memorials by September 27, 1982, in accordance with the Chamber's decision.

CONTINENTAL SHELF (LIBYAN ARAB JAMAHIRIYA/MALTA)

On July 26, 1982, Libya and Malta notified to the Registrar a Special Agreement in force since March 20, 1982, which requested the Court to determine the principles and rules of international law applicable to the delimitation of the continental shelf area appertaining to the two parties and a practical method of applying such principles in the instant case.

INTERNATIONAL LAW COMMISSION

Pursuant to resolution 173 (II) adopted by the General Assembly in 1947, the International Law Commission (ILC) was established in

1948 to promote the codification and progressive development of international law. The membership, which was increased from 25 to 34 during the General Assembly's 36th session, consists of legal experts serving in their individual capacities, who are elected by the General Assembly for 5-year terms. Stephen Conalley McCaffrey of the United States was elected on November 23, 1981, for a term which began on January 1, 1982.

The Commission studies topics it has determined are suitable for codification or that other UN bodies, usually the General Assembly, refer to it. Its normal procedure is to select one of its members to prepare a report and, after discussion, draft articles. The Commission sends texts to governments for review, reconsiders them in light of government comments, and then adopts final texts which it forwards to the General Assembly. When the Assembly receives a set of draft articles, generally in the form of a proposed convention, it may convene a diplomatic conference to consider adoption of a convention, review the articles itself, note them, or remand them to the Commission for further study.

Work of the Commission's 34th Session

Under the chairmanship of Mr. Paul Reuter (France), the 34th session of the Commission convened in Geneva May 4–July 23, 1982, during which it considered six topics. The Commission completed its draft articles on the "law of treaties between states and international organizations or between international organizations." The Commission continued its work on the topic of "state responsibility" with respect to which the special rapporteur on the topic had submitted a report and six new articles on legal consequences of internationally wrongful acts; and also continued its work on the topic of "international liability for injurious consequences arising out of acts not prohibited by international law," on the basis of a third report submitted by the special rapporteur for that topic. With regard to the topic of "jurisdictional immunities of states and their properties," the Commission debated new draft articles on exceptions to the general principle of state immunity and reviewed for the new membership the five draft articles previously considered on various means of expressing consent to jurisdiction and thereby qualifying the general jurisdictional immunity of a state. The Commission also continued its work on the "status of the diplomatic courier and the diplomatic bag not accompanied by diplomatic courier" by considering that topic's special rapporteur's third report containing 14 draft articles. The Commission appointed Mr. Jens Evensen (Norway) special rapporteur for the topic of "the law of the non-navigational uses of international watercourses," on which work had been suspended due to the resignation of the previous special rapporteur,

Mr. Schwebel. The Commission circulated comments received from governments on this topic as well as the third and final report submitted by Mr. Schwebel. The Commission also appointed Mr. Doudou Thiam (Senegal) special rapporteur for the topic "draft code of offenses against the peace and security of mankind" and established a working group chaired by Mr. Thiam which met preliminarily to consider the General Assembly's request to the Commission concerning the importance of the topic and the priority to be accorded thereto. The Commission, on the working group's recommendation, decided to accord the necessary priority to the draft code within its 5-year program.

Treaties Between States and International Organizations

At its 34th session the Commission completed its second and final reading of the entire 80 draft articles and annex thereto. Over 15 years ago the Commission had decided to consider this topic as a subject separate from that of treaties between states. The Commission had taken into account the written comments and observations received from governments and international organizations, as well as views expressed in the debates in the General Assembly. In recommending that the General Assembly convene a conference to conclude a convention from these articles, the Commission recognized the exclusive competence of the Assembly to decide the matter. Otherwise in historically reviewing this topic, the Commission commented notably on the draft articles' relationship to the Vienna Convention on the Law of Treaties. The Convention had provided the general framework for these draft articles, which deal with the same questions as the Convention and consequently parallel, with appropriate adjustments, its provisions, while remaining totally independent of and without referring back to those provisions. These draft articles cover, *inter alia*, the capacity of international organizations to conclude treaties, including means of expressing consent, and the questions of reservations to and observance of such treaties. Finally, the Commission made observations related to principles concerning the extent to which it was possible to equate international organizations with states for the purposes of treaty law.

State Responsibility

At its 34th session the Commission considered the report of the special rapporteur containing six articles which were drafted to take account of the 33rd Commission's criticism of the first five articles of Part 2 which had dealt with the content, forms, and degrees of international responsibility, that is, with determining the conse-

quences (reparative and punitive) which an internationally wrongful act of a state may have under international law in different cases. The Commission already had completed at its 32nd session a first reading of Part 1 of the draft articles dealing with the origin of state responsibility—on what grounds and under what circumstances a state may be held to have committed an internationally wrongful act, which, as such, is a source of international responsibility. The special rapporteur differentiated the diverse and complex legal consequences of a wrongful act for the author state, the injured, and other states. The six new general articles established, *inter alia*, the principle that the consequences should not be disproportional to the seriousness of the wrongful act; the primacy of peremptory norms and the UN Charter; and in principle, the regime of international crimes. After general discussion of these articles as well as of the draft articles considered at the 33rd session, all were sent to the Drafting Committee on the understanding that the latter would prepare framework provisions and consider whether an article along the lines of the new Article 6 should have a place in those provisions.

International Liability for Injurious Consequences Arising Out of Acts Not Prohibited by International Law

The Commission had before it the special rapporteur's third report, containing two chapters; the second set out a schematic outline for the preparation of draft articles of great generality in the form of a flexible framework treaty designed to encourage states to conclude more limited agreements to regulate particular dangers, as well as to provide residual rules concerning reparation for injury or loss not covered by any existing regime. The draft also provided for procedures (factfinding and negotiations) designed to prevent the injury.

In the debate, most Commission members favored continuing with the topic along the lines developed in the special rapporteur's three reports, although some members, considering the topic was without any foundation in general international law, opposed proceedings. There was interest in considering the matter of reparation further and specifically to avoid according more weight to economic interests than to those of protection. On the special rapporteur's suggestion, the Commission requested the Codification Division of the UN Legal Counsel to continue analytically examining bilateral agreements and judicial decisions relevant to the topic, as well as agreements with non-state parties pertaining to prevention measures and liability.

Jurisdictional Immunities of States

The Commission had before it the fourth report of the special rapporteur, containing two additional draft articles supplementing

the five contained in his third report and considered at the 33rd session. With regard to the first five "General Principles," the special rapporteur considered upon examination of judicial practice of states, national legislation and governmental practice, that there was a well-established rule of international law supporting the general principle of jurisdictional immunity of states. The two new draft articles concerned exceptions to that principle of state immunity, the first being for trading or commercial activities.

For the benefit of the new and enlarged Commission membership, all the draft articles which had been presented were reviewed. The Commission considered that greater efforts to determine the meaning and scope of trading or commercial activities for the purpose of the new draft articles should be made and referred to the Drafting Committee certain of the articles previously submitted, as well as the new draft articles; the Commission also provisionally adopted Article 1 (scope of the present articles) and certain subparagraphs of Article 2 (use of terms).

Status of the Diplomatic Courier and the Diplomatic Bag Not Accompanied by Diplomatic Courier

The Commission considered the third report of the special rapporteur, containing 14 draft articles, 6 of which he had reexamined in light of their consideration by the 33rd Commission and the Sixth Committee during the 36th General Assembly and which concerned, *inter alia*, general provisions on the scope of the articles, exceptions thereto and the use of terms therein. The eight new draft articles of Part 2 concerned the status of the diplomatic courier, of the diplomatic courier *ad hoc* and of the captain of an aircraft or master of a ship carrying a diplomatic bag. In debate, Commission members expressed regret over the exclusion of bags of international organizations and referred the draft articles to the Drafting Committee.

General Assembly Action

The Sixth Committee of the 37th General Assembly considered the Commission's report at 17 meetings, November 4–22 and December 6, 1982. On November 11, the U.S. Representative in the Sixth Committee, Robert Rosenstock, noted, with respect to the draft articles on the law of treaties between states and international organizations or between international organizations, that the dispute settlement provisions should follow more closely those of the Vienna Convention on the Law of Treaties especially with regard to the procedure for referral to the International Court of Justice. He expressed concern over the Commission's failure to consider possible alternatives to treaties as final forms for its articles. Further, he

expressed surprise over the Commission's naming a special rapporteur on the draft Code of Offenses topic, but expressed confidence in the individual named. With respect to state responsibility, he suggested that a second reading of Part 1 of the draft articles should not be undertaken until drafts on all three parts had been developed. Finally, he expressed regret if the Commission's work on the topic of the diplomatic courier and bag were to be given priority at the expense of its much more substantial work on jurisdictional immunity and state responsibility.

In a second U.S. statement on November 22, the U.S. Representative, Carol M. Schwab, commented further on the mammoth task the Commission had undertaken in elaborating the law of state responsibility, noting that only preliminary comments were possible on the second of the three subtopics into which the overall subject was divided until such time as the third part on procedures was completed. For example, she noted that to deal finally with the question of proportionality developed in the second part of the subject on consequences, one needed to develop adequate procedures concerning the judge of proportionality and the standards for dispute resolutions. Similarly, meaningful development of the concept of "international crime" needed to await the consideration of procedures. With regard to the topic of international liability for injurious consequences arising out of acts not prohibited by international law, she noted, *inter alia*, that the statement and report of the special rapporteur allayed many concerns with regard to the overly broad scope of the topic. She reiterated both the need to narrow substantially the concept of "loss or injury" and support for the prevailing view that the entire topic should be limited to physical environment, or at maximum physical damages caused by physical actions. With respect to jurisdictional immunities of states, she welcomed the Commission's implied reaffirmation that states enjoy sovereign immunity when acting in their capacity as sovereigns, and expressed regret at the Commission's slow progress on examining exceptions to state immunity, noting with respect to the exception for a state's commercial endeavors the utility of looking to the type of transaction rather than the ultimate purpose which the government may have for disposing of the goods involved. With respect to the topic concerning diplomatic couriers and bags, she noted additionally that the law was well settled in this area, least in need of codification and criticized specifically the Commission's consideration of diplomatic and consular communications under a single standard in view of their separate treatment under the two Vienna Conventions.

In the Sixth Committee on December 6, Argentina introduced a draft resolution, ultimately sponsored by 34 states, on the Commission's report which, *inter alia*, recommended the Commission continue its work aimed at the preparation of drafts on all the topics in

its current program and expressed satisfaction with the Commission's plans concerning its procedures and methods of work. On the same day, Iraq introduced a second draft resolution entitled "Convention on the Law of Treaties between States and International Organizations or between International Organizations," sponsored ultimately by 26 states, which, *inter alia*, decided that an international convention should be concluded on the basis of the draft articles adopted by this Commission, took note of the Commission's recommendation on the subject and agreed to decide on the appropriate forum for the convention's adoption in light of comments solicited in the resolution and to include the item on the General Assembly's provisional agenda for its 38th session. Both draft resolutions were approved by consensus on December 6.

Speaking after the votes, Mr. Rosenstock thanked the delegates of Argentina and Iraq for working to modify the initial drafts of the respective resolutions, thereby making the Committee's consensus adoption of them possible. The plenary also adopted the resolutions without a vote on December 16, 1982. (Resolutions 37/111 and 37/112, respectively.)

INTERNATIONAL TRADE LAW

The United Nations Commission on International Trade Law (UNCITRAL) established by the General Assembly in 1966, continued to be a productive, highly professional body which contributes to the harmonization and unification of the law of international trade. The Commission is composed of 36 members elected by the Assembly for a term of 6 years.[2]

Work of the Commission's 15th Session

UNCITRAL's 15th session, which took place July 26–August 6, 1982 in New York, considered, among others, the following topics: uniform rules on liquidated damages and penalty clauses, international payments, international commercial arbitration, contracts for supply and construction of large industrial works, and the possibility of submitting comments on the International Law Commission's draft articles on most-favored-nation clauses. The U.S. Representatives were Peter H. Pfund, Assistant Legal Adviser for Private International Law, Department of State; Robert Rosenstock, U.S. Mission to the United Nations; Paul Larsen, Office of the General

[2] Members in 1982 were Australia, Austria, Burundi, Chile, Colombia, Cuba, Cyprus, Czechoslovakia, Egypt, Finland, France, German Democratic Republic, Federal Republic of Germany, Ghana, Guatemala, Hungary, India, Indonesia, Iraq, Italy, Japan, Kenya, Nigeria, Peru, Philippines, Senegal, Sierra Leone, Singapore, Spain, Tanzania, Trinidad and Tobago, Uganda, U.S.S.R., United Kingdom, United States, and Yugoslavia.

Counsel, Department of Transportation; Professor Joseph Perillo, Fordham University Law School; and Professor Joseph C. Sweeney, Fordham University Law School.

The Commission began its consideration of draft uniform rules on liquidated damages and penalty clauses developed by its Working Group on International Contract Practices. The Commission was unable to conclude its review of the draft uniform rules and did not decide whether those rules should take the form of a convention, a model law, or general conditions. Final review of a revised text of the draft uniform rules and a decision on the form is to be undertaken at the Commission's 16th session.

The Working Group on International Negotiable Instruments reported that it had completed its work on a draft convention on international bills of exchange and international promissory notes, and a draft convention on international checks. The Commission extended the deadline for government comments on the draft conventions to September 30, 1983, and will take a final decision on the future course of action at the 17th session after government comments and reactions to the draft conventions have been received. It was felt that this time schedule provided the necessary time for governments and organizations to ascertain the views of relevant circles and also for the Secretariat to prepare a detailed analytical compilation of the comments well in advance. The Secretariat was asked to begin preparation of a guide on legal problems arising in connection with the use of electronic funds transfers.

The Commission approved the use of Special Drawing Rights (SDRs) of the International Monetary Fund as the universal unit of account for future conventions setting liability limits, agreeing on the language of a convention article that might so provide. It agreed on two alternative methods for a convention with liability limits to counteract the erosion by inflation of the value of liability limits: (1) a sample price index provision (not favored by the United States); and (2) a sample expedited procedure for amending the stated liability limits in a manner binding on states remaining parties to the particular convention. The Commission asked the General Assembly to recommend use of the provisions in the preparation of future conventions or the revision of existing conventions.

The Commission completed its work and approved guidelines for administered arbitrations using the UNCITRAL Arbitration Rules, deciding to send the guidelines to governments for onward transmission to relevant bodies in their countries, and directly to all known arbitral institutions.

Work on a model (domestic) law for international commercial arbitration continued, with the Secretariat asked to produce a first working draft for discussion during the next meetings of the UNCITRAL Working Group.

With completion of the review by the Working Group on the New International Economic Order (NIEO) of the more than 30 types of clauses contained in contracts for supply and construction of large industrial works, the Secretariat is now to begin drafting chapters of the legal guide, making use of a small group of consultants having experience in the negotiation of such contracts in putting draft chapters into final form for submission to the Working Group for discussion and for review.

The Commission was unable to reach a consensus on preparing and submitting possible comments on the draft articles on most-favored-nation clauses developed by the International Law Commission. Opposition to doing so was supported by the United States on the grounds that an effort to agree on comments would involve questions of treaty law and trade policy—inappropriate for the Commission which is not equipped to deal with those matters.

GENERAL ASSEMBLY ACTION

The Sixth Committee of the 37th General Assembly considered the report of UNCITRAL at seven meetings from September 28–October 4 and on November 11. As in past years, the U.S. Representative, Mr. Rosenstock, commended the Commission for its fine work and expressed appreciation for the Secretariat's work in preparing materials for the working groups and the Commission's plenary meeting.

On November 11 Austria introduced two draft resolution in the Sixth Committee. The first, sponsored by 31 countries, *inter alia*, (1) commended the Commission on the progress in its work; (2) noted with appreciation the completion by UNCITRAL's NIEO Working Group of the work preparatory to drafting of the legal guide on contracts for supply and construction of large industrial works; (3) similarly noted UNCITRAL's approval of recommended guidelines for arbitral institutions using the UNCITRAL Arbitration Rules; (4) noted that UNCITRAL recommended provision in international transport and liability conventions for a universal unit of account for expressing monetary amounts, and two alternative provisions for adjusting the limits of liability therein; (5) reaffirmed UNCITRAL's mandate as the core legal body within the UN system in the field of international trade law to coordinate legal activities in this field; (6) recommended that UNCITRAL continue to maintain close cooperation with other international bodies active in the field of international trade law; (7) reaffirmed the importance of the work of UNCITRAL concerned with training and assistance in the field of international trade law; and (8) recommended that UNCITRAL continue its work on the topics on its work program.

The second draft, sponsored by 17 countries, concerned provisions for a unit of account and adjustment of limitations of liability

adopted by UNCITRAL. The draft noted that, *inter alia*, the UN Commission on International Trade Law had adopted a provision for a universal unit of account for expressing monetary amounts in international transport and liability conventions and two alternative provisions for the adjustment of limits of liability in such conventions; recommended that, in the preparation of future international conventions containing limitation of liability provisions or in the revision of existing conventions, the unit of account provision as adopted by the UN Commission on International Trade Law should be used; and recommended further that in such conventions one of the two alternative provisions for adjustment of the limitation of liability as adopted by the UN Commission on International Trade Law should be used.

Both drafts were approved by consensus in Committee on the same day. The General Assembly on December 16 adopted by consensus the resolutions on the report of the 15th session of UNCITRAL and on the unit of account. (Resolutions 37/106 and 37/107.)

DRAFT CODE OF OFFENSES AGAINST THE PEACE AND SECURITY OF MANKIND

The General Assembly has been considering this item on and off since 1947 without definitive result. The original impetus for the exercise was an inclination to draft highly detailed rules, violation of which would constitute criminal behavior. Initial efforts resulted in a draft by the International Law Commission (ILC) which did not command sufficient support for final action to be taken. After a hiatus of 20 years, during which the Assembly dealt in other forms with much of the conduct in question, resulting in such instruments as the Genocide Convention and the Declaration on Principles of International Law Concerning Friendly Relations and Cooperation Among States in Accordance with the Charter of the United Nations, the Assembly began considering the item again at its 33rd session in 1978.

In the course of the Assembly's consideration of the item in 1978, 1980, 1981, and 1982, and in written comments, the United States along with most of the Western European countries expressed great doubt that any useful progress could be made on the issues, which are inextricably linked to the mechanism of international criminal jurisdiction on which progress is most unlikely. Western countries also noted the extent to which much of the original material had in fact been dealt with elsewhere in the interim. Support for the item from some non-aligned countries and the Soviet Union has, however, been sufficient to keep it before the United Nations.

The Sixth Committee considered the item at six meetings between November 22 and December 7. On that day, a draft resolution was

introduced by Zaire on behalf of 24 other countries which, *inter alia*, invited the International Law Commission to continue its work with a view to elaborating the Draft Code, and decided to include an item in the 38th provisional agenda entitled "Draft Code of Offenses Against the Peace and Security of Mankind." Mr. Rosenstock requested a separate vote on the latter paragraph reasoning that since the International Law Commission had decided to study the matter and had gone so far as to appoint a special rapporteur, it seemed highly improper to retain a separate item on the agenda of the General Assembly.

The paragraph was retained by a non-recorded vote of 72 to 13, with 13 abstentions, and the draft approved by a vote of 82 to 0, with 17 abstentions. Speaking after the vote, Mr. Rosenstock said that, in addition to its objections to the disputed paragraph, his Government was not of the view that the elaboration of a code of offenses was the most important work that was needed to be done to strengthen international peace and security, and serious doubts that further work would do anything but exacerbate differences.

The General Assembly adopted the resolution on December 16 by a rollcall vote of 126 to 0, with 17 (U.S.) abstentions. (Resolution 37/102.)

NON-USE OF FORCE IN INTERNATIONAL RELATIONS

In 1977, on the basis of a Soviet proposal, the 32nd General Assembly established the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations with the mandate "to consider proposals and suggestions submitted by any state . . .with the goal of drafting a world treaty on the non-use of force in international relations as well as the peaceful settlement of disputes or such other recommendations as the Committee deems appropriate." On March 27, 1980, the United States sent a letter to the Secretary General informing him that it would not participate in the 1980 session of the Special Committee, because at the 34th General Assembly the Soviet Union had insisted on the addition of language which we believed placed too much emphasis on the early completion of a world treaty on the non-use of force, thereby prejudicing the Special Committee's mandate. In 1981 the United States renewed its participation in the Special Committee because the 35th General Assembly had modified the language governing the mandate of the Committee in such a way as to meet U.S. concerns.

Special Committee

The Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations[3] held its 5th

[3] The 35 members in 1982 were Belgium, Benin, Bulgaria, Cuba, Cyprus, Ecuador, Egypt,

session in New York, March 29–April 23, 1982. The Committee devoted nine meetings to a general debate. The statements of the 25 that spoke, including the United States, reflected the 3 distinct views regularly heard on the subject. One supported the Soviet proposal to draft a world treaty on the non-use of force. The second, espoused by non-aligned countries, supported a declaration of principles on the non-use of force. The third opposed a treaty and suggested that the Committee study why states resort to force; it also proposed that various peaceful settlement mechanisms be strengthened.

On April 5, U.S. Representative Rosenstock reiterated continued U.S. opposition to a treaty and the reasons therefor. Denying the need for the elaboration of additional normative instruments on the non-use of force, he recommended that the Committee's efforts instead be directed toward enhancing means of implementing the principle, e.g., strengthening the existing collective security system, involving the United Nations and regional organizations at earlier stages in dispute resolution, and strengthening peaceful settlement.

In response to an earlier Soviet statement claiming that it had supported peace during its 60-year history, Mr. Rosenstock cited several examples of Soviet conduct: the 1920 Soviet attempt to install a puppet regime in Warsaw; the 1939 German-Soviet non-aggression pact and protocol for Russian-German division of territory; Soviet attacks resulting in Finland's and Romania's loss of territory and Lithuania's, Latvia's, and Estonia's loss of sovereignty; the Soviet invasion of Czechoslovakia in the guise of "fraternal assistance," otherwise known as the "Brezhnev Doctrine"; and the intimidation of the Polish people. Throughout his remarks he stressed the Soviet failure to explain how greater normative elaboration of the non-use of force principle would effectively reduce resort to such action. The U.S. Representative also drew attention to the incompatibility of Soviet conduct in Afghanistan with the sponsorship of a non-use of force treaty.

On March 31, the Committee reestablished an open-ended working group in which the members could consider specific proposals. The working group held nine meetings between April 12–19, 1982. On April 23, the Committee considered and approved the report of the working group and also adopted its own report. The Committee's report to the General Assembly contained no recommendations or conclusions.

General Assembly

The Sixth Committee considered the report of the Special Committee at 11 meetings, October 29–November 9 and November 29.

Finland, France, Federal Republic of Germany, Greece, Guinea, Hungary, India, Iraq, Italy, Japan, Mexico, Mongolia, Morocco, Nepal, Nicaragua, Panama, Peru, Poland, Romania, Senegal, Somalia, Spain, Togo, Turkey, Uganda, U.S.S.R., United Kingdom, and United States.

On November 4, during the general debate in Committee, the U.S. Representative, Stephen Bond, questioned the utility of the treaty. He noted astonishment over the shameless quality of the hypocrisy involved in the sponsorship and posturing over a non-use of force treaty by the Soviet Union, a country which at the same time so massively violated the international norms regarding the use of force both directly and through its surrogates. He suggested that it may well be time that the productive potential of the item be referred to the Special Committee on the Charter.

On November 29, Mongolia introduced a draft resolution which was ultimately sponsored by 33 states. This draft differed from the resolution adopted at the 36th General Assembly in that it directed the Committee to begin elaboration (treaty drafting) of the formulas of the working paper containing the main elements of the principle of non-use of force in international relations. At the same meeting the Committee approved the draft resolution by a recorded vote of 87 to 15 (U.S.), with 9 abstentions.

On December 16 the resolution recommended to it by the Sixth Committee was adopted in the plenary Assembly by a recorded vote of 119 to 15 (U.S.), with 8 abstentions. (Resolution 37/105.)

UNITED NATIONS CONFERENCE ON THE REPRESENTATION OF STATES IN THEIR RELATIONS WITH THE INTERNATIONAL ORGANIZATIONS

This item was considered by the Sixth Committee at four meetings, December 6–8 and December 10, 1982. On December 7, the representative of the United Arab Emirates introduced a draft resolution cosponsored by 18 other member states, entitled "Observer status of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States." This draft resolution was approved by the Sixth Committee on December 10 by a vote of 76 to 10 (U.S.), with 16 abstentions, and adopted by the General Assembly as resolution 37/112 on December 16, 1982, by a vote of 110 to 10 (U.S.), with 17 abstentions. Joining the United States in voting against the resolution were Belgium, Canada, France, Federal Republic of Germany, Israel, Italy, Luxembourg, Netherlands, and the United Kingdom.

In resolution 37/112, the General Assembly, *inter alia*, declared that it was convinced that the participation of national liberation movements in the work of international organizations helped strengthen international peace and cooperation, and that it was desirous of ensuring the effective participation of national liberation movements by regulating their status, facilities, privileges, and immunities necessary for the performance of their functions. Moreover, the General Assembly invited all states that have not done so,

particularly those that host international organizations, to ratify the Vienna Convention on the Representation of States in their Relations with International Organizations of a Universal Character, and called upon the States concerned to accord the delegations of national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States the facilities, privileges, and immunities necessary for the performance of their functions.

Speaking in explanation of vote in the Sixth Committee, U.S. Representative Rosenstock noted that it was somewhat odd that the Committee should concern itself with a Convention that had not yet entered into force and that had not been ratified by several of the cosponsors, including the chief sponsor. He suggested that the low number of ratifications was perhaps understandable in view of the fact that the Convention went beyond codification and contemplated privileges and immunities far more sweeping than any recognized under existing law. Mr. Rosenstock questioned the idea of according privileges and immunities to individuals for whose behavior no state could be held responsible. He noted that no one had cited any instances when representatives of national liberation movements had been unable to carry out their duties due to lack of privileges and immunities.

PROTECTION OF DIPLOMATS

The item on "Consideration of effective measures to enhance the protection, security, and safety of diplomatic and consular missions and representatives" had been included initially in the agenda of the 35th session of the General Assembly at the request of the five Nordic countries, against a background of the Iranian/U.S. hostage situation and other information concerning violations of, or failure to observe, the relevant rules of international law providing for the protection of diplomatic and consular missions and representatives. During the 37th session of the Assembly, the Sixth Committee considered the item at five meetings, October 12–14 and November 30.

On October 13, the U.S. Representative, Carol M. Schwab, twice exercised the U.S. right of reply to refute unfounded allegations of the Soviet Union in its general debate statement. Ms. Schwab categorically rejected charges that the United States failed to fulfill its international obligations concerning protection and security of diplomats and consular officials, citing specific remedial measures undertaken and instances of apprehension and prosecution of offenders by the United States. In the U.S. statement delivered the following day, she emphasized that effective conduct of peaceful relations among states depends on protection, security, and safety of

diplomatic and consular missions and their representatives; cited statistics showing the alarming increase of terrorist attacks on such missions and personnel; affirmed the longstanding concern of the United States also for the security of international civil servants; expressed support for the reporting procedures of the relevant Assembly resolutions; and urged increased adherence particularly to the 1973 Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, including Diplomatic Agents, in order to broaden the international consensus on the relevant legal principles. She also noted that the problem was shared by states and international organizations and required a coordinated response by members of the international community for which the United Nations provides an ideally suited framework and urged continued development of consultative mechanisms to protect the affected missions and personnel.

On November 30, Norway introduced the draft resolution sponsored by 17 states which, *inter alia*, (1) strongly condemned acts of violence against diplomatic and consular missions and representatives as well as missions and representatives to international organizations and officials of such organizations; (2) recommended that states cooperate closely with regard to practical measures to enhance protection and exchange of information; (3) urged states to consider becoming parties to the relevant legal instruments; (4) provided generally for strengthening the violation reporting mechanism by requesting the Secretary General to remind states, as appropriate, of the procedure; and (5) decided to include the item in the provisional agenda of the 38th session of the General Assembly.

The resolution was approved in Committee on November 30, and in the plenary Assembly on December 16, in both instances by consensus. (Resolution 37/108.)

INTERNATIONAL CONVENTION AGAINST MERCENARY ACTIVITIES

In resolution 35/48, the General Assembly established an *Ad Hoc* Committee on the Drafting of an International Convention against the Recruitment, Use, Financing, and Training of Mercenaries. The *Ad Hoc* Committee was to be composed of 35 member states but presently consists of 34.[4] At its 1st session in 1981, the Committee discussed the various issues that must be resolved before an international convention against mercenary activities can be concluded.

[4] Algeria, Angola, Bahamas, Bangladesh, Barbados, Benin, Bulgaria, Canada, Ethiopia, France, Federal Republic of Germany, German Democratic Republic, Guyana, India, Italy, Jamaica, Japan, Mongolia, Nigeria, Portugal, Senegal, Seychelles, Spain, Suriname, Turkey, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States, Uruguay, Yemen (Aden), Yugoslavia, Zaire, and Zambia.

From January 25–February 19, 1982, the Committee held its 2nd session under the chairmanship of Mr. Mohammed Bedjaoui (Algeria). Committee approval was given for participation by observer delegations from Cuba, Egypt, Madagascar, Morocco, Nicaragua, and Vietnam.

During its 1982 session, the Committee had before it a draft convention prepared by Nigeria, comments from several member states, and a compilation of international agreements and national legislation relating to mercenary activities. In addition to discussing the draft articles of the Nigerian text and related proposals from other member states, the Committee formed two working groups which utilized most of the time allocated to the Committee for its 1982 session. Working Group A dealt with issues of definition and the scope of the future convention, and Working Group B addressed all other issues relevant to it.

During the 37th session of the General Assembly, the Sixth Committee considered the report of the *Ad Hoc* Committee in nine meetings between October 5–12 and on November 23 and 26, 1982. On October 8, the U.S. Representative, David H. Small, expressed U.S. understanding and sympathy for the concerns which had given rise to the effort to draft an international convention against mercenary activities, while at the same time noting that such activities were not at present the principal threat to international peace and security in any region of the world. He welcomed the improved atmosphere during the 1982 meetings of the *Ad Hoc* Committee and commended Working Group A for identifying many of the issues which must be resolved in connection with this drafting exercise. He concurred with those speakers who recommended against any attempt to define a status offense such as "mercenarism" and stressed that the specific conduct constituting the offenses involved must be defined carefully. In that regard, the U.S. Representative asserted that the legitimate need which many nations had experienced to employ non-citizens for self-defense purposes could not be ignored. On the question of definitions, Mr. Small maintained that it would be unwise to deviate from the definition of "mercenary" in Article 47 of Additional Protocol I to the 1949 Geneva Conventions, although non-international armed conflict situations must also be addressed. Finally, he declared that the *Ad Hoc* Committee could not deal productively with the question of state criminal responsibility and should thus avoid it, and that the need to ensure full respect for the human rights of everyone required that the future convention guarantee the rights of alleged mercenaries to a fair trial and to humane treatment before and after trial.

On November 23, the representative of Nigeria introduced a draft resolution on the convention cosponsored by 60 delegations. As adopted without a vote by the General Assembly on December 16,

resolution 37/109, *inter alia*, renewed the mandate of the *Ad Hoc* Committee; decided that the Committee would hold a 4-week meeting in August 1982; and requested the Committee to forward its report to the 38th session of the General Assembly for its consideration.

REVIEW OF MULTILATERAL TREATY MAKING PROCESS

This item originally was included in the agenda of the 32nd General Assembly at the request of Australia and six other countries, to assess the efficiency of the various methods of multilateral treaty making. The 37th General Assembly allocated the item to the Sixth Committee which had before it the Secretary General's report.

On October 15, the Sixth Committee established, in accordance with General Assembly resolution 36/112, an open-ended working group. The working group, among other things, was to assess the methods of multilateral treaty making used in the United Nations and in conferences convened under its auspices to determine whether the current methods of multilateral treaty making are as efficient, economical, and effective as they could be to meet the needs of member states, and to make recommendations on the basis of that assessment. That group submitted its report on the subject to the Committee on December 8.

The Sixth Committee considered the item at two meetings on December 8 and 9. On the latter day, Australia introduced a draft resolution sponsored by 14 states, which, *inter alia*, (1) decided to reconvene the working group with the aim of completing its work at the 38th session of the General Assembly; (2) reiterated the request to the Secretary General to prepare and publish new editions of relevant UN publications as soon as possible; and (3) included the item on the provisional agenda of the 38th General Assembly. On the same day, the Sixth Committee approved without vote the draft resolution with a Ukrainian S.S.R. oral amendment to the first preambular paragraph reflecting that multilateral treaties are "an important means of ensuring cooperation among States," in addition to an important primary source of international law as previously noted. On December 16, the General Assembly also adopted the resolution without a vote. (Resolution 37/110.)

SUCCESSION OF STATES IN RESPECT OF STATE PROPERTY, ARCHIVES, AND DEBTS

The International Law Commission had completed, at its 33rd session in 1981, draft articles (39 in total) on this topic dealing generally with the disposition of state property, archives, and debt in

situations involving predecessor and successor states. Over the reservations of certain members, the Commission had recommended that the General Assembly convene an international conference of plenipotentiaries to study these draft articles and conclude a convention on the subject.

At the 37th session of the General Assembly, the Sixth Committee considered this item at two meetings on October 28–29, pursuant to Assembly resolution 36/113, which provided for convening a UN conference of plenipotentiaries in early 1983 to embody the articles in a convention or other appropriate instrument.

On October 29, Sierra Leone introduced the relevant draft resolution, ultimately sponsored by 33 states, which, *inter alia*, decided to hold the conference March 1–April 8, 1983, in Vienna and requested the Secretary General to invite, among others: all states, Namibia (represented by the Council for Namibia), organizations that have received a standing invitation to participate in General Assembly sessions and conferences, and national liberation movements recognized by the OAU. After the resolution's adoption in the Sixth Committee on October 29, the U.S. Representative, Ms. Schwab, noted her country's position: It was premature to hold a conference on the draft articles; it fundamentally objected to the resolution's financial implications with respect to the financing of national liberation movements invited to participate; and that the conference costs should be borne from existing resources. At a Sixth Committee meeting on November 10, the U.S. Representative, Stephen R. Bond, commenting on the postponement of the General Assembly's action on the draft resolution due to the U.S. concern for assurances that the conference not entail extrabudgetary resources, explained that when his delegation had examined the financial implications of the draft resolution it had not been able to determine whether the costs were to be charged to the UN regular budget or would be the subject of a request for supplementary appropriations.

On November 15, when the plenary Assembly finally considered the draft resolution, the U.S. Representative, Jose S. Sorzano, introduced an amendment authorizing implementation of the activities approved in the resolution only to the extent they could be financed without exceeding the approved existing budgetary resources for the biennium 1982–83. Ambassador Sorzano explained, *inter alia*, that the United States did not intend to make a special target of the costs of the conference and had supported the resolution in the Sixth Committee on substantive grounds, but that a concern for fiscal responsibility warranted the amendment, which if adopted, would enable the United States to join in consensus adoption of the resolution. The amendment, however, was rejected by a vote of 103 to 2 (U.S.), with 26 abstentions, and the draft resolution was adopted by a vote of 136 to 1 (U.S.), with 0 abstentions. (Resolution 37/11.)

HOST COUNTRY RELATIONS

The General Assembly established the 15-member Committee on Relations with the Host Country[5] in 1971 to replace the informal Joint Committee on Host Country Relations. The Committee is concerned with the security of missions, safety of personnel, tax problems, and other "housekeeping" issues.

During 1982 the Committee received a number of notes from member countries reporting their concerns regarding the security of missions and of mission personnel.

At the Committee's first meeting of 1982 on March 11, the Soviet delegation alleged that the United States as host country had not taken necessary measures to ensure the safety of diplomatic personnel and to halt acts of terrorism and hostility against missions and their personnel. The United States in reply condemned any and all terrorist action, reiterated its determination to work with Federal and local law enforcement authorities to prevent any group or individual carrying out any act of violence or terrorism in New York (or in the United States generally) and asserted that the overall record of mission security in New York was good. The U.S. Representative announced the creation of a joint Federal/local terrorist task force responsible for investigating all groups that advocate violence; it was this task force that apprehended a group of Croatian terrorists, subsequently tried and convicted.

Also considered by the Committee were several complaints by the Soviet mission concerning demonstrations, continuing telephone harassment, and bomb threats. The U.S. Representative pointed out that while demonstrations are frequently held in New York City—as in any area within a free society—no instance of physical attack against Soviet diplomatic personnel or damage to Soviet property had taken place during these demonstrations and that Soviet personnel were never prevented from conducting business-as-usual. In response to the Soviet Representative's complaint of numerous telephone calls each day and bomb threats, the U.S. Representative expressed regret over the inconvenience that may have been caused by such actions and assured the Soviet Representative that illegal activity concerning threatening phone calls is vigorously investigated by the FBI. The United States emphasized the need for the timely reporting of such incidents and for the full cooperation of the Soviet mission with law enforcement authorities, which unfortunately had never been forthcoming.

A meeting of the Committee was held on November 26 to consider a protest lodged by the Observer mission of the Democratic People's

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[5] The Committee's membership in 1982 was as follows: Bulgaria, Canada, China, Costa Rica, Cyprus, France, Honduras, Iraq, Ivory Coast, Mali, Senegal, Spain, U.S.S.R., United Kingdom, and United States.

Republic of Korea to the United Nations. The North Korean mission, in a note dated October 1, strongly protested the issuance of a warrant on September 22, 1982, by authorities of Westchester County, New York, for the arrest of Mr. O Nam Chol, a member of the North Korean Observer mission for alleged sexual assault. The North Korean mission claimed that Mr. O Nam Chol had diplomatic immunity. The U.S. Representative stated that while Mr. O Nam Chol enjoyed limited immunity for official acts connected with his work for the North Korean Observer mission to the United Nations, the United States found it impossible to conclude that the alleged criminal act—in a public park on a holiday weekend—had anything to do with his diplomatic function. The United States also expressed dismay over the complete lack of cooperation in this matter by the North Korean Observer mission and strongly reaffirmed the U.S. position that Mr. O Nam Chol be surrendered to the New York authorities.

The General Assembly considered the report of the Committee on Host Country Relations in its Sixth Committee at three meetings December 9–10 and in plenary session on December 16. The Sixth Committee considered a draft resolution introduced by Libya, on behalf of seven sponsors, which recalled Article 105 of the UN Charter, the Convention on Privileges and Immunities of the United Nations, and the Headquarters Agreement between the United States and the United Nations. The draft noted that the problems related to the privileges and immunities of all missions accredited to the United Nations, their security, and the safety of their personnel are of great importance and concern to themselves, as well as the primary responsibility of the host country. It strongly condemned acts of terrorism and requested the Secretary General to remain actively engaged in all aspects of host country relations. The General Assembly also requested that the Committee on Relations with the Host Country continue its work. The draft resolution was approved in Committee and adopted in plenary, in both cases, without a vote. (Resolution 37/113.)

PROTECTION OF PERSONS UNDER DETENTION OR IMPRISONMENT

Among the draft instruments pending before the General Assembly, the United States accords the highest priority to the "Draft Body of Principles for the Protection of All Persons under any Form of Detention or Imprisonment." This draft text was prepared by the UN Subcommission on Prevention of Discrimination and Protection of Minorities and was forwarded to the General Assembly via the Commission on Human Rights and the Economic and Social Council. Prior to the 35th session of the General Assembly, the United States

submitted detailed comments on the Draft Principles, in response to a request from the Secretary General. At the beginning of the 35th session, moreover, the United States took the lead in ensuring that the text would be considered in a formal working group of the Third Committee. Despite the extremely limited time made available for working group consideration of this item, significant progress was made, and 6 of the 35 principles were adopted by consensus. Regrettably, the United States and certain other delegations, including the Netherlands and Sweden, were unable to prevent the transfer of the Draft Principles to the Sixth Committee by the proponents of the other draft instruments before the Third Committee.

During the 36th session, the Sixth Committee formed a working group under the chairmanship of Mr. Luigi Ferrari Bravo of Italy. Despite the chairman's best efforts, the working group made very limited progress. During the 37th session, the Sixth Committee again established a working group chaired by Mr. Ferrari Bravo, which was able to accomplish somewhat more than the 1981 group. Specifically, the 1982 working group adopted Principle 9 on the information to be supplied to a person at the time of arrest; Principle 10 on special protections for detainees; Principle 11 on the written records to be kept and furnished upon request to a detained person or his counsel; Principle 12 on the formal notice concerning the rights to be given to a person at the moment of arrest or commencement of detention or imprisonment; and Principle 13 on the measures to be taken to assist an arrested, detained, or imprisoned person who does not adequately understand or speak the language used by the authorities involved.

At its 61st meeting of the 37th session on December 2, 1982, the Sixth Committee considered this item and approved a draft decision introduced by Sweden and cosponsored by Egypt without a vote. In decision 37/427, the General Assembly decided that an open-ended working group would again be established in the Sixth Committee at the outset of the 38th session, with a view to expediting the finalization of the Draft Principles. The General Assembly also requested the Secretary General to circulate all previous working group reports to member states and to invite them to update their original comments or submit new ones.

Two reasons for the Sixth Committee's relatively slow progress on the Draft Principles have been its failure to hold working group meetings at night as is common in the Third Committee, and the late start which the working group has gotten each session. When the draft decision was under consideration by the Sixth Committee, Mr. Rosenstock welcomed the decision to commence working group meetings at the very beginning of the 38th session. He maintained that it was right and proper for the Sixth Committee to deal with all

legal questions in view of the justified criticism of the legal work emanating from other UN bodies, but the Committee must handle these matters expeditiously by organizing itself to complete work on a given item in timely fashion. Among other things, he concluded, the Sixth Committee should adopt some of the working methods long practiced by other Main Committees of the General Assembly, including night meetings of working groups.

PROTECTION AND WELFARE OF CHILDREN

One of the draft instruments pending before the Sixth Committee during the 37th General Assembly was the "Draft Declaration on Social and Legal Principles relating to the Protection and Welfare of Children with Special Reference to Foster Placement and Adoption Nationally and Internationally." With significant U.S. involvement and support, the Draft Declaration was formulated and adopted in the Commission on Social Development and forwarded to ECOSOC in 1979. ECOSOC submitted the text to the General Assembly in 1979 and again in 1981. In 1981 the Draft Declaration was placed on the agenda of the Third Committee during the 36th session of the General Assembly. Despite the efforts of the Swedish and U.S. delegations, no action was taken on the item by the General Assembly in 1981 except the adoption of resolution 36/167, which recommended that the Draft Declaration be referred to the Sixth Committee of the 37th session and that appropriate measures be taken to finalize the text at that session.

The Sixth Committee took no substantive action on the Draft Declaration, and prospects for Sixth Committee action in the near future were not particularly good. Ultimately, the text may have to be sent back to the Third Committee. In the Sixth Committee, on December 2, the representative of Sweden introduced a draft resolution, which was cosponsored by Colombia, Iceland, Norway, and Uruguay. The draft resolution stated the General Assembly's view that, *inter alia*, (1) adoption of the Draft Declaration would promote the well-being of children with special needs, (2) governments have the sovereign right to define their national and international policies regarding the protection and welfare of children, and (3) further views of member states on the text as well as amendments and revisions already proposed would provide helpful guidance for future efforts to elaborate an agreed text. In addition, the General Assembly requested the Secretary General to circulate the Draft Declaration once again, together with his report on it and to submit the views of member states to the 38th session of the General Assembly, which will then determine the most appropriate course of further action. The draft resolution was approved by the Sixth Committee on December 3 and adopted in plenary session on December 16, both actions without a vote. (Resolution 37/115.)

With certain relatively minor revisions, the United States could support the Draft Declaration in its present form. However, the primary obstacle faced by the Draft Declaration is that only a handful of delegations have shown any interest in it during sessions of the General Assembly, although several member states have submitted comments which appeared in the Secretary General's report.

PROTECTION OF VICTIMS OF ARMED CONFLICTS

Pursuant to a request from Denmark, Finland, Norway, and Sweden, an item was included in the agenda of the General Assembly's Sixth Committee entitled "State of Signatures and Ratifications of the Protocols Additional to the Geneva Conventions of 1949 and Relating to the Protection of Victims of International Armed Conflicts (Protocol I) and the Protection of Victims of Non-International Armed Conflicts (Protocol II)." This item was considered by the Committee at three meetings on October 15 and on November 19, 1982.

On October 15, the U.S. Representative, Ms. Schwab said that the United States had long been a strong supporter of efforts to codify and improve international humanitarian law in armed conflict situations, had taken an active part in the negotiations which produced the two Additional Protocols in the 1949 Geneva Conventions, and had signed the Protocols and was giving them serious consideration with regard to the matter of their ratification. She emphasized the equal importance of states scrupulously observing the terms of existing instruments in this field, particularly the 1925 Geneva Protocol concerning the use of chemical and biological weapons and the 1949 Conventions on the protection of victims of armed conflicts. She further noted that the United States had consistently made every effort to call attention in the United Nations and elsewhere to persistent and disturbing reports of violations of existing instruments and maintained that elaboration of new humanitarian obligations would be a hollow and futile gesture if the international community were not prepared to take effective measures to ensure compliance with existing obligations of the most basic character.

On November 19, Sweden introduced a draft resolution cosponsored by 13 other states. *Inter Alia*, the draft (1) noted the nearly universal acceptance of the 1949 Geneva Convention; (2) expressed concern at the fact that only a limited number of states have become Parties to the Protocols; (3) called upon states to consider without delay ratifying or acceding to the two Additional Protocols; and (4) requested the Secretary General to submit to the 39th General Assembly a report on the status of the Protocols based on informa-

tion received from member states. The draft was approved without vote in Committee on the same day, and adopted in the same manner in the plenary Assembly on December 16. (Resolution 37/116.)

DEVELOPMENT OF PRINCIPLES CONCERNING INTERNATIONAL ECONOMIC RELATIONS

The Sixth Committee of the 37th General Assembly considered the item "Progressive development of the principles and norms of international law relating to the new international economic order (NIEO)" at seven meetings from November 26–December 2.

The Committee had before it the Secretary General's report, which submitted the lengthy study of the United Nations Institute for Training and Research (UNITAR) analyzing the list of principles and norms of international law relating to the NIEO previously prepared by UNITAR for the Assembly's 36th session. That study had been mandated by Assembly resolutions 35/166 and 36/107 to which the United States had strenuously objected on the ground that the concept of a NIEO was in so preliminary a stage of evolution that the consideration of the progressive development of international legal principles concerning it was entirely premature.

On November 26, the Philippines introduced a draft resolution, subsequently revised and sponsored by 15 states, which, *inter alia*, (1) requested that UNITAR complete the third and final phase of the analytical study for the General Assembly's 38th session; (2) invited UNITAR, for its final work, to utilize experts selected on the basis of equitable geographical representation, taking into account the different legal and economic systems of the world; and (3) included the item, along with a report requested of the Secretary General on the UNITAR study, on the provisional agenda of the Assembly's 38th session.

Due to the financial implications involved in completion of the UNITAR study, the U.S. Representative, Mr. Rosenstock, on December 2, introduced an amendment authorizing implementation of activities contained in the resolution only to the extent they could be financed without exceeding the approved existing budgetary resources for the relevant period. That amendment was rejected by a vote of 59 to 16 (U.S.), with 6 abstentions. In explanation of vote, Mr. Rosenstock reiterated U.S. doubts regarding the value of the undertaking, confirmed by the UNITAR study's sociological and philosophical considerations that had little if anything to do with what UNITAR was supposed to be doing and which ignored the very strong reservations of certain governments. He noted the U.S. opposition to UNITAR's continued consideration unless there were consultations to reconsider the work's scope in order to find an area of agreement acceptable to all. The Committee then approved the resolution by a vote of 69 to 1 (U.S.), with 29 abstentions.

The resolution was adopted in the plenary session on December 16 by a vote of 113 to 1 (U.S.), with 30 abstentions. (Resolution 37/103.)

Part 5

Budget, Administration, and Institutional Management

The work of the General Assembly's Administrative and Budgetary Committee (Fifth Committee) is related to the work of all other main UN committees. It deals with organization-wide administrative problems, such as conference scheduling, personnel issues, and the coordination of activities among various UN organizations. Before the General Assembly votes on any resolution having financial implications, the Fifth Committee must provide information on how the resolution, if adopted, will affect the UN budget. In its most important role, the Fifth Committee makes recommendations to the General Assembly on the regular program budget and on assessed peacekeeping budgets.

Several special UN bodies—some consisting of experts serving in their personal capacities and some of an intergovernmental nature—assist in this work. In financial matters the best known of the expert committees are the Advisory Committee on Administrative and Budgetary Questions (ACABQ) and the Committee on Contributions. The ACABQ examines the Secretary General's proposals and reports to the General Assembly on the UN budget and UN accounts; on administrative budgets of UN specialized agencies; and on other administrative, financial, and budgetary matters referred to it. The Committee on Contributions advises the General Assembly on all questions relating to the apportionment of UN expenses among UN members. Other expert financial bodies are the Board of Auditors, Investments Committee, and UN Joint Staff Pension Board.

The International Civil Service Commission (ICSC), composed of experts in the administrative field, makes recommendations to the General Assembly for the regulation and coordination of conditions of service within the United Nations, the specialized agencies, and other international organizations that participate in the UN common system. The Committee on Conferences is an important intergovernmental, administrative body which seeks to develop a workable calendar of UN meetings and advises the Assembly on the most efficient use of conference resources and on current and future requirements.

A senior executive committee, an intergovernmental body, and an expert group have responsibilities ranging broadly across the work of

the whole UN system of organizations. The Administrative Committee on Coordination (ACC)—composed of the UN Secretary General and executive heads of the specialized agencies, the IAEA, and other major bodies and programs—meets regularly to supervise the implementation of agreements between the United Nations and specialized agencies and to coordinate activities of the various organizations. The Committee for Program and Coordination (CPC), an intergovernmental body, serves as the main subsidiary organ of both ECOSOC and the General Assembly for planning, programing, and coordination. The Joint Inspection Unit (JIU), a group of experts, is empowered to investigate and evaluate any matter bearing on efficiency of services and proper use of funds.

Finally, with respect to institutional questions, the General Assembly in 1980 established a committee of governmental experts to evaluate the structure of the UN Secretariat in the administrative, financial, and personnel areas. This 17-member committee completed its work in 1982 and its final report was presented to the 37th General Assembly.

The activities of these major bodies are described in the following chapters.

UN FINANCIAL MATTERS

UN Financial Situation

The short-term deficit of the United Nations increased in 1982. As of October 13, 1982, the estimated deficit (projected to December 31, 1982) amounted to $303.2 million. This amount represents an increase of $29.1 million or 10.6% compared with the December 31, 1981, figure. Most of this deficit was caused by certain member states such as the U.S.S.R., China, and to a lesser extent, a number of other contributors that withhold all or part of their assessments for peacekeeping activities. Additionally, the three Soviet members (U.S.S.R., Byelorussian S.S.R., and Ukrainian S.S.R.), Bulgaria, and the German Democratic Republic submit their portion of the UN regular budget for technical assistance in nonconvertible national currencies. The United Nations accepts such payments only to the extent that it needs the specific currency.

Another issue related to withholding arose on December 30 when President Reagan announced that the United States would withhold its proportionate share of the cost of the UN assessed budget of funding the Law of the Sea Preparatory Commission. The United States continued to uphold the principle of UN fiscal responsibility; however, the United States believed that funding of the Preparatory Commission was not a proper UN expense, as the Commission was legally independent of and distinct from the United Nations and was not a UN subsidiary organ.

At the 37th General Assembly, the UN financial situation was considered by the Fifth Committee at seven meetings from October 27 through November 10. During Fifth Committee deliberations, three separate proposals were advanced to deal with the late payment of assessments, which is a factor contributing to the increasing deficit. The first proposal called for a 1% rebate for timely payment; the second advocated a penalty for late payment; and the third suggested amendment of the financial regulations to make regular budget assessed contributions payable on a quarterly basis. None of these proposals were adopted. The draft resolution approved by the Fifth Committee attempted to put moral pressure on those members paying late or withholding, but did not put forth any measures that would penalize such practices. The Fifth Committee approved the draft resolution on November 10 by a non-recorded vote of 68 to 0, with 17 abstentions (U.S.). The draft was then adopted by the General Assembly on November 16 by a vote of 112 to 0, with 18 abstentions (U.S.). (Resolution 37/13.)

UN Budget

On December 21, 1982, by a recorded vote of 117 to 14 (U.S.), with 12 abstentions, the General Assembly approved a decrease to the 1982–83 UN budget of $33,280,100 bringing the 1982–83 revised appropriations to $1,472,961,700, a decrease of 2.21% over the initial 1982–83 appropriation of $1,506, 241,800. (Resolution 37/243 A.)

The gross decrease to the UN budget of $66, 141,200 was primarily attributable to exchange rate gains for the U.S. dollar, in which the UN budget is denominated, and a downward revision of the inflation estimates. Offset against the amount, however, was $32,861,100 in program increase resulting in a net decrease to the UN budget of $33,280,100. Those member states which failed to support the revised 1982–83 budget, either by voting against the resolution or abstaining in the vote, were responsible for 86% of the total assessments to the UN regular budget.

The U.S. budget position of zero net program growth and significant absorption of nondiscretionary cost increases gained unprecedented attention at the 37th General Assembly because the United States insisted that the substantive committees of the General Assembly focus on the financial implications of the proposed resolutions. Heretofore the substantive committees have not abdicated this responsibility to the ACABQ and the Fifth Committee.

The United States voted against the revised budget because of the unacceptable program growth (4.4% for the biennium) and the failure of the UN Secretariat to absorb these program increases.The U.S. Representative, Theodore Papendorp, in an explanation of vote before the final vote in plenary stated:

"It is unacceptable to my government that the United Nations should increase its activities and its spending, without looking for corresponding savings, when member governments are going through hard economic times. It is unacceptable to my government that an organization which claims to have expertise in order to help developing governments improve in such areas as public administration, development, planning, etc., should have no capacity to administer itself or to plan rationally for the future. When that happens it will be too late and we who vote no today will take no pleasure in saying 'I told you so.' It is incumbent on all of us to act on our responsibilities and look seriously, now and in the future at the financial, administrative, and program aspects of all resolutions. It is time for all of us to say enough to unrestrained growth."

Audit Reports

The Fifth Committee considered the UN Board of Auditors' reports on the financial reports and accounts for the biennium ending December 31, 1981, as well as the Board's 1981 reports on eight voluntarily funded UN programs: UNDP, UNICEF, UNFPA, UNITAR, UNEP, UNRWA, UNHCR, and the UN Habitat and Human Settlements Foundation. All of these reports were considered at five meetings between October 1 and 6.

In its report to the General Assembly on the financial reports and accounts for the biennium, the Board of Auditors considered several financial management deficiencies, e.g., there were problems with the payroll and personnel systems; specifically there were some staff members, whose appointments had expired, still on the payroll on the strength of the Executive Officer's signature. Responding to this, UN officials pointed out that a staff management resource system was under study. The report also noted "the fact that some former staff members are engaged as consultants shortly after separating from the service suggests that some tasks given to consultants could well be undertaken by regular staff." The ACABQ, in commenting on the Boards' observations, noted that the Secretary General was in the process of issuing new instructions with clear definitions made between regular staff, consultants, experts, contractors, temporary staff, etc. (See also section on JIU, p. 368.)

In a statement before the Fifth Committee on October 4, the U.S. Representative, Virginia Housholder, thanked the Board of Auditors for their clear and comprehensive report which made a significant contribution to improving financial management in the United Nations. Her Government, she said, was making a vigorous effort domestically to identify and eliminate waste and mismanagement, and it expected the United Nations and the other international organizations to do the same and to adopt efficient and effective financial practices. Mrs. Housholder questioned the unsatisfactory practices with regard to the use of experts and consultants, especially because vacancies were soon filled by others who were performing the same duties as the consultants.

With respect to UNDP, Mrs. Housholder endorsed the Auditor's comments regarding the need for more adequate procedures for cost management in field offices and indicated U.S. concern about the lack of adequate coordination between UNDP headquarters, UNDP field offices and agency headquarters with regard to the recording of project expenditures. A report, she said, should be provided on the steps taken by UNDP in response to the Auditor's comments.

She indicated that the United States was pleased that the Secretary General had restored the title and function of Controller in the United Nations. This action should enhance the efficiency of financial controls and prevent some of the shortcomings in financial management pointed out by the Board.

On October 4, the Chairman of the Fifth Committee introduced a draft resolution which accepted the financial reports and the audit opinions, supported the observations and recommendations of the ACABQ, and requested the Secretary General to take the necessary steps to strengthen financial management in all departments of the UN Secretariat. The draft was approved in committee on October 6 and adopted in the plenary Assembly on November 16, in both instances by consensus. (Resolution 37/12.)

Financing of Assessed Peacekeeping Operations

Two resolutions were adopted by the 37th General Assembly relative to the financing of the UN peacekeeping forces. Both were recommended for adoption to the plenary Assembly by the Fifth Committee.

On November 30, 1982, the General Assembly by a recorded vote of 95 (U.S.) to 3, with 17 abstentions, appropriated $15,973,998 for the operation of the United Nations Disengagement Observer Force (UNDOF) for the period June 1 through November 30, 1982, and $17,186,500 for the period December 1, 1982 through May 31, 1983. The resolution also authorized the Secretary General to enter into commitments for UNDOF at a rate not to exceed $2,864,416 per month from June 1 through November 30, 1983, should the Security Council decide to continue the Force beyond the 6 months authorized under its resolution 524 of November 29, 1982. (Resolution 37/38.)

On December 17, 1982, the General Assembly, also by a recorded vote of 119 (U.S.) to 14, with 5 abstentions, adopted a resolution that appropriated the following amounts for the United Nations Interim Force in Lebanon (UNIFIL): $89,724,996 for the period December 19, 1981 through June 18, 1982; $30,459,332 for the period June 19 through August 18, 1982; $30,459,332 for the period August 19 through October 18, 1982; and $30,459,332 for the period October 19 through December 18, 1982. The Secretary General was authorized to enter into commitments for the operation of UNIFIL from

December 19, 1982 through January 18, 1983 in an amount not to exceed $15,229,666 per month. (Resolution 37/127.)

Contingent upon Security Council renewal of UNIFIL's mandate, the General Assembly also authorized the Secretary General to enter into commitments at the rate of $15,229,666 per month for the period January 19 through December 18, 1983.

Speaking in the Fifth Committee, the U.S. Representative, Mr. Papendorp, said that the peacekeeping forces were the very essence of the principles for which the Organization had been established and provided a means whereby peace could be maintained while long-term solutions were negotiated. The United States, he said, fully shared the view expressed by the Secretary General in his report on the work of the Organization that peacekeeping operations had generally been considered to be one of the most successful innovations of the United Nations, and that their record over the years was certainly one of which to be proud.

The financing resolution for UNIFIL and UNDOF reaffirmed the principle of the special responsibility of the permanent members of the Security Council to maintain international peace and security, and implicitly endorsed the collective responsibility of the entire membership of the Organization for meeting peacekeeping costs.

Scales of Assessment

At the 37th General Assembly, the Fifth Committee considered the scale of assessments for the apportionment of the expenses of the United Nations at 18 meetings from October 1 through December 13. An initial recommendation of a scale of assessments for 1983–85 by the Committee on Contributions[1] engendered an intense debate in the Fifth Committee which resulted in an impasse. The United States refused to support the scale largely due to the precipitous decline in the assessments of the Soviet Union and other centrally planned economies. Speaking in the Fifth Committee on October 8, the U.S. Representative, Senator J. Bennett Johnston, stated that "the Soviet Union and Warsaw Pact's allocation of such a high proportion of their productive capacity to weapons production and military support results in a distorted picture of their real ability to pay under the current formula."

In order to break the impasse, the Committee on Contributions was called back into session on November 22. Prior negotiations in the Fifth Committee and the Committee's deliberations resulted in a realignment of 63 points (.63%) in favor of the developing countries, with the Soviet assessment increasing by 20 points. This compromise agreement which established the assessment levels of member states

[1] The Committee is an expert body appointed by the General Assembly for 3-year terms. Mr. Richard V. Hennes of the United States was reelected to the Committee during 1982.

for the financial years 1983–85 inclusive was approved by the Fifth Committee on December 3 by a vote of 84 to 25 (U.S.), with 8 abstentions. United States opposition to the revised scale was based upon the strictures of resolution 231 A, adopted at the 36th General Assembly, which severely limited the flexibility and objectivity of the Committee on Contributions in devising the scale of assessments for 1983–85.

A second draft resolution was introduced by the Vice Chairman of the Committee on December 13. This draft, *inter alia*, requested the Committee on Contributions to submit to the 39th General Assembly a study of alternative methods to assess real capacity to pay, along with their proposals for methods to be used in determining future scales of assessment, and a set of guidelines to help ensure uniformity and comparability of national income data. This draft was approved by consensus.

The two draft resolutions were combined when they were considered in the plenary Assembly on December 17. The first was adopted by a recorded vote of 110 to 26 (U.S.), with 7 abstentions, and the second adopted by consensus. (Resolution 37/125 A and B.)

The General Assembly fixes the rates of assessments for UN members on the basis of recommendations of the Committee on Contributions. Specialized agencies determine their own assessment rates, and in most cases these rates follow the UN scale.

The following represents the U.S. share of assessed budgets of the United Nations, the specialized agencies, and the IAEA for calendar years 1982 and 1983:

	1982 Percent	1983 Percent
UN	25.00	25.00
FAO	25.00	25.00
ICAO	25.00	25.00
ILO	25.00	25.00
IMO	4.53	4.53
ITU	7.00	7.00
UNESCO	25.00	25.00
UPU	4.72	4.72
WHO	25.00	25.00
WIPO*	7.98	5.25
WMO	24.58	24.55
IAEA	25.81	25.91

*Average U.S. assessment to the overall WIPO budget. The decrease in U.S. assessment is due to the anticipated financial self-sufficiency of the Patent Cooperation Treaty Union and the U.S. withdrawal in July 1982 from the Locarno Union on the International Classification of Industrial Designs.

INSTITUTIONAL MATTERS

Committee for Program and Coordination

In 1976, the General Assembly decided that the 21-member Committee for Program and Coordination (CPC)[2] should be the main subsidiary organ of both ECOSOC and the General Assembly for planning, programing, and coordination. As a major component of its work, the Committee reviews the draft program budget and the draft medium-term plan.

The CPC held its 22nd session at UN Headquarters in New York from April 19 to May 29, 1982. The major items on the CPC agenda were: (1) cross-organizational program analysis (COPA) of public administration and finance activities of the UN system; (2) evaluation of UN activities in the area of mineral resources; (3) proposed medium-term plan for 1984–89; (4) draft official rules and regulations governing program planning, the program aspects of the budget, the monitoring of implementation and the methods of evaluation; and (5) special review of the ongoing work program of the United Nations.

CROSS-ORGANIZATIONAL PROGRAM ANALYSIS

The Committee considered the COPA on public administration and finance at three meetings on April 19 and 20. The analysis was conducted in terms of assessing the levels of cooperation and coordination among agencies with regard to public administration and finance.

The COPA concluded that coordination at headquarters level was reasonably good. It could be enhanced however, if program issues in public administration received more frequent indepth review by relevant consultative committees of the Administrative Committee on Coordination (ACC). Coordination was not as effective at the regional and national levels, and it was at the national level that the problem seemed to be most pressing. Collaboration and cooperation were also lacking between regional institutions and national bodies. The report concluded that the absence of a clear and universally accepted definition of public administration and finance was a major reason for the failure of the UN system organizations to coordinate their activities effectively.

The CPC felt that it was essential for the organizations to begin consultations on how to harmonize their activities better. In addition, the Committee agreed that the ACC decision to resolve jurisdic-

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[2] Members in 1982 were Argentina, Brazil, Cameroon, Costa Rica, France, Federal Republic of Germany, India, Japan, Morocco, Netherlands, Pakistan, Philippines, Romania, Senegal, Sudan, Tanzania, Trinidad and Tobago, United Kingdom, U.S.S.R., United States, and Yugoslavia.

tional questions on a case-by-case basis was the most pragmatic solution, and the Committee recommended that the approach should be applied more rigorously in the future. Finally, the CPC recommended that the ACC develop a broad conceptual framework for the field, including a more precise definition of public administration and finance, in order to improve coordination.

EVALUATION

In two meetings on May 18 and 19 the Committee reviewed the Secretary General's evaluation of UN activities in the field of non-fuel mineral resources. The evaluation found a lack of coordination in mineral resources activities among UN agencies and an absence of clarity in subprogram objectives. The report described the UN mineral resources development activities as a "mosaic of individual services provided in response to requests from intergovernmental bodies and member states rather than a cohesive, integrated program." The evaluation did not find any "systematic means within the Secretariat for identifying and treating substantive mineral issues and programs of interest to several organizational units."

The subprogram objective usually took the form of a statement of intent to provide services, but did not identify a verifiable level of achievement or other finite dimensions. This lack of clarity in the subprogram objectives made it difficult for the evaluators to assess the progress or achievement of a program or to examine the relationship between program element outputs and subprogram objectives.

The Committee's discussion of the evaluation centered on two topics: the quality of the design, and execution of the evaluation, and the extent to which it fulfilled its mandate; and its findings and recommendations, including the possible ways in which an evaluation should be followed up both at the intergovernmental and Secretariat levels. One critical weakness disclosed by the evaluation was the failure of UN publications to reach intended end-users. The CPC called for the Secretariat to study this problem and report to the Committee in 1984. A second issue which disturbed the CPC was the non-response by member governments to the evaluation questionnaires. The Committee recommended that governments strengthen their mechanisms for contributing to evaluation studies.

Finally, the Committee explored measures by which the evaluation studies undertaken for the CPC could become more integral and effective components of UN operations. To this end the Committee decided to inaugurate a triennial review of agency actions taken to implement evaluation recommendations.

MEDIUM-TERM PLAN

The review of the medium-term plan occupied the largest portion of the CPC's calendar. The Committee discussed the medium-term

plan from April 23 to May 26, 1982. In reviewing the plan, the United States stated its disappointment that the section on establishing priorities among the various subprograms of the medium-term plan was never presented to the CPC. The Secretariat, citing the newness of Perez de Cuellar's administration, asked the Committee for its indulgence and promised that the document would be prepared for consideration by the 1982 summer session of ECOSOC.

At ECOSOC, however, the Director General for Development and International Economic Cooperation asserted that it was not possible to set priorities among programs with equal statutory mandates from intergovernmental bodies. The United States maintained that while it would not be feasible for the Secretariat to establish priorities at the major program level, the Director General could and should recommend priorities at the subprogram level. Nevertheless, setting of priorities among the subprograms of the medium-term plan was not further addressed in ECOSOC or thereafter.

The CPC reached agreement on most chapters of the plan. However, Chapter 15, Industrial Development, and Chapter 16, International Trade and Development Finance, presented special problems for the United States since much of the text violated long-held Western principles. Ultimately, neither chapter was fully endorsed by the Committee. All controversial sections of Chapter 15, all but the regional programs of Chapter 16, and the UNCTAD program sections of Chapter 20, Science and Technology, and Chapter 24, Transport, were referred to ECOSOC for consideration without any recommendations by the CPC.

The same action was taken with the subprogram on women and international affairs in Chapter 21, Social Development. The subprogram had been drawn almost entirely from a draft declaration sponsored by the German Democratic Republic which the United States and its allies had opposed in the past. The United States and other Western members of the CPC first proposed the deletion of the subprogram, then sought approval of a compromise text. When this failed to gain consensus the Committee made no recommendation on the subprogram and referred it to ECOSOC.

The Third Committee of ECOSOC considered the proposed medium-term plan at six meetings between July 8–28. It established an open-ended working group to conduct consultations on the medium-term plan sections remitted to ECOSOC and was able to obtain consensus approval on all but two: the program on East-West trade in Chapter 16 and the subprogram on women and international affairs, in Chapter 21. ECOSOC on July 29 adopted a decision recommending that the General Assembly adopt the approved portions of the medium-term plan as amended by the CPC and ECOSOC.

During the 37th General Assembly, the medium-term plan chapters were first reviewed by the appropriate main committees con-

cerned with their substance before being forwarded to the Fifth Committee for approval. The 37th General Assembly was the first where all main committees, rather than just the Fifth Committee, were involved in the review of the medium-term plan. On December 15 the Fifth Committee approved without objection the medium-term plan as revised except for the subprogram on women and international affairs. It was adopted by the Assembly on December 21, also by consensus. (Resolution 37/234.) In joining the consensus, the U.S. Representative, Mr. Papendorp, said that the United States viewed the inclusion of the East-West trade activities in Chapter 16 as inappropriate. These activities should not be pursued in the framework of UNCTAD, which deals with trade and development of developing countries.

RULES AND REGULATIONS GOVERNING PROGRAM PLANNING

The proposal to develop rules and regulations governing program planning, the program aspects of the budget, the monitoring of implementation, and the methods of evaluation were originally made by the Joint Inspection Unit (JIU) in 1981. The 36th General Assembly approved the idea and requested the Secretary General to present to the 37th General Assembly, through the CPC, proposals enabling it to adopt official rules and regulations.

The Committee considered the report of the Secretary General on regulations at three meetings between May 22–24, 1982.

In presenting the Secretary General's report, the Assistant Secretary General for Program Planning and Coordination noted that the report contained only draft regulations, because it was necessary for the General Assembly to adopt regulations before the Secretary General could develop rules for their implementation. The formulation for rules concerning the administrative application of the regulations, he said, was a prerogative of the Secretary General.

The JIU Chairman stated that elaboration of the rules would have to go well beyond the material in the Secretary General's report. Although the regulations were based on previously adopted resolutions, the Secretariat had exercised choices as to the provisions to be included and those to be left for the rules. The Chairman believed certain aspects discussed in resolutions were unnecessarily omitted. For example, the approved methodology set out in the various JIU reports on evaluation was not reflected in the draft regulations.

The United States found a number of weaknesses in the draft regulations. In the first place, the regulations were directed more at the member states than at the Secretariat. In addition, the draft regulations treated the medium-term plan as valid only until the General Assembly adopted new resolutions. In the U.S. view, the medium-term plan should provide the priorities and the parameters

of UN programs, and new resolutions should be implemented only insofar as they fit within the medium-term plan already approved. Finally, the United States found the draft regulations to be inadequate with regard to evaluation.

The Committee noted that there were omissions in the regulations relating to the specifications of the functions of the monitoring unit (which the General Assembly had recommended to oversee program implementation), the procedures and methodology of evaluation, and the treatment of activities which were obsolete or of marginal usefulness. The Committee agreed that the General Assembly would have to examine the regulations in light of the draft rules which would be provided to it by the Secretary General.

The General Assembly at its 37th session considered the draft rules and regulations as part of its agenda on program planning, which was discussed by the Fifth Committee at 12 meetings from November 17 to December 16.

The United States found the redrafted regulations and the draft rules improved, but believed adoption of both should be postponed until the 38th session of the General Assembly so that both could be more carefully studied. The treatment of the medium-term plan was still inadequate, since the regulations provided that it should be continuously subject to revision. Speaking on December 4 in the Fifth Committee, the U.S. Representative, Mr. Papendorp, maintained that the draft regulations and rules called into question the value of the medium-term plan. A 6-year planning period had been set to allow enough time for programs to prove their worth and for program managers to plan their activities over a substantial period. Once adopted, the medium-term plan should be the point of reference for member states and the Secretariat alike, and the pertinent regulations and rules must authorize only well-justified revisions. The United States also questioned procedures in the draft rules and regulations for redeploying resources in the case of completed or low-priority programs, the failure to establish a Central Monitoring Unit, which was to have monitored the implementation of the activities approved by the Organization, and the excessive reliance on self-evaluation. In addition, the draft rules were, in many cases, found to be worded too vaguely to ensure effective compliance.

After some changes were approved to the draft regulations, the Fifth Committee on December 15 approved without vote their adoption as part of the omnibus resolution on program planning. In other closely related provisions, the Secretary General was requested to submit through the CPC to the 38th General Assembly an evaluation program together with a timetable for intergovernmental review and further measures for integrating the program planning, budgeting, monitoring, and evaluation functions in the UN Secretariat. The plenary Assembly, without vote, adopted the resolution on December 21. (Resolution 37/234.)

Speaking in committee in explanation of the vote, Mr. Papendorp said that his delegation had not objected to approval of the draft resolution by consensus, but had reservations about a number of the regulations annexed to the draft and portions of the medium-term plan endorsed by the draft resolution. His delegation would have preferred not to adopt the regulations at the current session, on the ground that there were still substantive legal doubts as to their applicability. It hoped to receive a more detailed explanation of the legal position from the Legal Counsel. He noted that the regulations were not static, but could be changed as circumstances required.

SPECIAL REVIEW OF THE ONGOING WORK PROGRAM

The Secretary General's special review of the ongoing work program was to have been considered by the 36th General Assembly along with the draft program budget for 1982–83. The review was intended to identify activities determined to be completed, obsolete, of marginal usefulness, or ineffective (COMUI) so that the program resources could be redeployed to other, higher priority activities. The review was submitted so late, however, that the Fifth Committee did not have sufficient time to consider it. The General Assembly, therefore, requested CPC, the Committee on Conferences, and the ACABQ to consider appropriate aspects of the review in 1982.

CPC consideration focused on whether the report still had any validity, since the 1982–83 budget had already been adopted. Ultimately, CPC decided to call for an updated version of the special review to be submitted with the next program budget and recommended that any revised estimates for the current biennium should take the findings of the present special review into account.

Subsequently, during the summer, ACABQ supported the CPC request for a revised special review, but asked that it be available during the 37th Assembly. In this way it could be considered along with the medium-term plan and in conjunction with the "full and comprehensive" report on the implementation of all resolutions dealing with COMUI activities. The Secretary General agreed to the accelerated schedule. Unfortunately, the revised special review was not circulated until the end of November, thus setting up the same scenario of inadequate time for consideration that had prevailed in 1981.

When the Fifth Committee considered the special review, at five meetings between December 10–15, most comments focused on the lateness of its appearance and on the failure to go beyond identifying low priority activities to assessing which programs were obsolete, of marginal usefulness, or ineffective. The U.S. Representative noted that report did not fulfill the requirements of the "full and comprehensive report" called for originally by the 34th General Assem-

bly. He also pointed out that the various documents presented to the Assembly still did not provide a basis for institutionalizing the process of identifying COMUI, since they did not contain comparable information: The program performance report gives only numbers of completed program elements, but no identifying description. The medium-term plan gives no resource information at the program element or subprogram levels. The program budget gives no staffing information below the program level.

On December 15, the Fifth Committee approved without objection a draft resolution sponsored by Canada and Japan that, *inter alia*: (1) endorsed the Secretary General's decision to curtail or terminate certain low priority activities; (2) requested him to refer other activities—deemed of low priority but required by prior resolution—to the competent intergovernmental organs for their views; (3) requested him to include in the introduction to all future program budgets the specific steps taken to eliminate low priority activities; and (4) requested CPC to consider the special report in 1983 in the context of its examination of the programmatic aspects of the proposed budget for 1984–85. The plenary Assembly adopted the resolution without a vote on December 21. (Resolution 37/242.)

Joint Inspection Unit

The Joint Inspection Unit (JIU)[3] consists of 11 inspectors authorized to investigate matters on the efficiency and effectiveness of UN system operations. The Unit is directed to conduct evaluations focused on improving management and the methods to achieve greater coordination between organizations. The JIU statute is adhered to by 16 UN system organizations.

During 1982, the JIU circulated 10 reports. The studies covered issues on the employment of women at the professional level; the use of experts and consultants by the United Nations; the methods for conducting official travel; the operations of the Economic Commission for Africa; contribution of the UN system to preservation of Latin American cultural and natural heritage; the capacity of the UN's present communication system; the procedures for preparation of UN special conferences; the elaboration of UN rules and regulations for planning, programing, and evaluation; the elaboration of a career concept for UN personnel; and the examination of UN employment trends with regard to geographic distribution.

The reports of particular value to the United States during the 37th General Assembly were the "Status of Women in the Professional Category and Above: Second Progress Report," "Organization and Methods for Official Travel," and "Use of Consultants and

[3] Appointed by the General Assembly to serve in a personal capacity for 5-year terms. Earl D. Sohm of the United States is an Inspector.

Experts in the United Nations (Progress Report)." Over the years the United States has taken a leadership position in calling for more women to be recruited and promoted into the professional ranks at the United Nations. The United States was instrumental in the development of that portion of General Assembly resolution 33/143 which, *inter alia*, had recommended a target of 25% female professionals by the end of 1982. The present report found very little improvement in women's representation in professional ranks in the UN system since the JIU's 1980 progress report. Only the UN Secretariat was close to achieving the 25% target called for in resolution 33/143.

Although the report on women did not contain any new recommendations, the United States viewed the report as a good vehicle to emphasize again the need for the United Nations to improve its efforts to employ women in professional categories and above. Utilizing the JIU report in this manner, the United States was able to engender support for a draft resolution which requested the Secretary General to, *inter alia*, intensify efforts to hire and promote more women and to pay particular attention to those areas of the United Nations which have lagged in meeting the 25% target; to ensure that women have equal opportunity for advancement and appointment, particularly at higher ranks; and to take concrete steps to ensure compliance with policy directives concerning the recruitment, promotion, career development, and training as well as other aspects of women's employment.

On December 10 Ireland, on behalf of 14 other sponsors, including the United States, introduced the draft resolution in the Fifth Committee whence it was approved without a vote the following day. The plenary Assembly adopted the draft on December 21, by consensus. (Resolution 37/235 B.)

"Organization and Methods for Official Travel" was a second report of significant value in advancing U.S. interests. The report evaluated the UN official travel procedures and attempted to assess how the UN's travel costs could be reduced. The United States found two of the report's recommendations to have particular potential in producing significant savings. The first recommendation advocated that the United Nations terminate its present contract with its commercial travel agency and select an agency under an in-plant arrangement through competitive bidding. An in-plant travel arrangement allows the travel agency to establish a branch office on the Organization's premises. The agency reimburses the Organization a percentage of the travel agency's total income (from commissions on air, rail, and ship tickets; hotel reservations; car rentals; etc.). The reimbursements are used to defray the Organization's costs for travel.

The second recommendation proposed that the United Nations undertake negotiations with air carriers to obtain discounts in

countries where this is permitted, or to relax conditions which are an obstacle to obtaining the most economical fare. The report had found that the United Nations did not negotiate favorable rates for the UN's high-volume travel; did not obtain an intergovernmental discount for official travel as do many governments; and did not undertake the block purchase of tickets in order to negotiate discounts.

The Fifth Committee considered the organization and methods for official travel issue at five meetings between December 9–14, 1982. On December 13, the United States cosponsored with Barbados and Norway a draft resolution on official travel. The two key paragraphs of the draft resolution stated that the General Assembly:

> "Concurs with the recommendation of the Joint Inspection Unit that the United Nations should select a commercial travel agency under an in-plant arrangement through widespread international competitive bidding at appropriate intervals";
>
> "Concurs with the recommendations of the Joint Inspection Unit that the Secretary General should undertake negotiations with air carriers or with the interested Governments which sponsor carriers to obtain discounts in countries where this is permitted or to relax conditions which are an obstacle to obtaining the most economical fares."

The draft resolution was approved without objection by the Fifth Committee on December 14 and adopted without a vote by the plenary Assembly on December 21. (Resolution 37/241.)

"Use of Consultants and Experts by the United Nations," another JIU report, analyzed the current use of consultants and experts in the United Nations under the regular budget and examined the factors hindering full observance of the guidelines in the use of consultants and experts established by the General Assembly.

The report's recommendation which the United States found of most interest concerned the contraction of and remuneration for former UN staff members. In establishing the level of remuneration for former staff members hired as consultants, most organizations of the UN system, except FAO and IAEA, do not consider whether former staff members receive pensions from the UN Joint Staff Pension Fund (UNJSPF). The report advocated adopting a policy which would reflect consultant's previous service in the UN system.

The Fifth Committee considered the experts and consultants topic in six meetings between December 3–15. Based on the JIU recommendation, the United States introduced and the Fifth Committee approved without objection on December 15 a resolution which imposed a temporary pay cap on consultants hired by the United Nations who were former staff members and who were now receiving a UN pension. The cap is set at $12,000. This decision will be reviewed at the 39th session of the General Assembly in light of the information the Secretary General was requested to provide on the number of former staff members employed, the date of separation from the Organization, the period of postseparation employment and how much was paid to the former staff member. The resolution was

adopted without a vote in plenary Assembly on December 22, as part of the omnibus resolution of the program budget for the biennium 1982–83. (Resolution 37/237, Section VIII.)

A report on "Communications in the United Nations System" reviewed available data on communications expenditures and trends in utilization, discussed recent developments in the field of communications which may have relevance to the needs of UN system organizations, and suggested a program of work for a more effective and integrated development of communications mechanisms.

The report found only a minimal amount of modernization in the UN system's communications technology. The result often is an inefficient and labor intensive operation. The report argued against a conservative budget policy in telecommunications matters, maintaining that short-term restraint may turn out to be counterproductive in the medium or long term. Communication should not be seen as an end in itself, but as a means to make UN organizations more effective, more responsive, and more adaptive to the formidable tasks before them.

The United States recognized that long-term efficiency may be best served by supporting modernization of the UN system's communications. Within the constraints of budget policy that accepts no program growth, the United States favored the upgrading of antiquated equipment. However, the United States felt that such upgrading should be determined through cost/benefit analysis and not merely justified in the name of modernization.

The communications issue was discussed in the Fifth Committee in meetings on November 19 and 23, 1982. The consensus of the Fifth Committee discussions was that the study conducted by the JIU provided an appropriate basis to develop rational action toward an improved, responsive, and cost-effective communications system. The Assistant Secretary General for General Services stated that the United Nations was reviewing all facets of its communications facilities and would explore the thoughtful recommendations of the JIU. The Secretary General would, he said, endeavor in that process to take the lead in promoting a more coordinated approach to the problem by the organizations of the UN system.

The ACABQ found the report to be "thought provoking and well researched." Since the JIU recommendations were concerned with the long-term needs of the UN system, the Advisory Committee thought any action on the report should be deferred until the Secretariat had completed a "review of all the facets of the communication system." The Advisory Committee would "await whatever specific proposals the Secretary General might submit either in separate documents or in connection with his proposals for 1984–85."

The Fifth Committee decided without vote on November 23 to recommend to the General Assembly that it take note, with apprecia-

tion, of the report of the JIU and the relevant comments thereon. The plenary Assembly adopted this recommendation without a vote as part of an omnibus resolution on questions relating to the program budget on December 21, 1982. (Resolution 37/237, Section V.)

Restructuring

ECONOMIC AND SOCIAL SECTORS

In 1977 the General Assembly adopted a comprehensive resolution, 32/197, designed to improve the structure and performance of the United Nations and its associated organizations with respect to economic and social activities. Each year since then the Assembly has sought to monitor some aspect of the implementation of the recommendations of that resolution.

During 1982 primary attention was given to revitalizing ECOSOC (section II of the Annex to resolution 32/197), which ECOSOC considered at both its spring and summer sessions. In this connection it had before it a number of proposals—some mutually exclusive—which would have strengthened ECOSOC operations in the view of the various sponsoring states.

On July 28 ECOSOC adopted without a vote a wide-ranging resolution, drawn from the various proposals, covering its program, organization of work, documentation, and calendar of meetings. In this resolution ECOSOC decided, *inter alia*: (1) to focus its future attention on "a limited number of carefully selected major policy issues to be studied in depth with a view to elaborating concrete, action-oriented recommendations"; (2) to enhance its role in coordinating the activities of the UN system of organizations and to this end, beginning in 1983, to "review every 6 years selected major issues in the proposed medium-term plans of the organizations"; and (3) to carry out on a triennial basis beginning in 1983 "comprehensive policy reviews of operational activities" throughout the UN system, as called for in resolution 32/197.

In other provisions designed to improve document management the Council: (1) decided to review annually all "recurrent and other documentation" in order to determine whether any document "has become redundant, has lost its usefulness, or could be issued at less frequent intervals"; (2) urged all its subsidiary bodies to "exercise the utmost restraint" in making requests for new reports and studies; (3) requested the Secretary General to arrange, "to the extent possible," for ECOSOC's subsidiary bodies to end their sessions at least 8 weeks before their reports are to be considered by ECOSOC; and (4) endorsed a group of recommendations by the Secretary General intended to restrict repetitive consideration of the same documents in successive bodies.

Finally, ECOSOC requested its President to continue consultations with member states on other questions relating to implementation of section II of the annex of Assembly resolution 32/197 and to report in 1983. (ECOSOC resolution 1982/50.)

Another aspect of restructuring—decentralizing activities to the regional commissions (section IV of the Annex)—received considerable attention during the summer ECOSOC. Resolution 32/197 had called for regional commissions to serve as the "main general economic and social centers" for their respective regions and to have "leadership and responsibility for coordination and cooperation at the regional level." ECOSOC's consideration was restricted to ECA. The focus for its discussion was a JIU report[4] which concluded that ECA needed to be strengthened if it were to play a significant role in assisting Africa's development process and made a number of recommendations to that end, including enhancing the role of the Multinational Programming and Operational Centers (MULPOCs).

The developing countries initiated two resolutions ultimately adopted without vote on July 30. The first asserted that the MULPOCs were ECA's principal mechanism for fostering economic and technical cooperation at the sub-regional level. Citing a report by the Secretary General recommending that the MULPOCs be financed from the regular assessed budget (rather than entirely from voluntary sources as at present), the resolution invited the General Assembly to decide on the funding of the MULPOCs "on an established basis." (ECOSOC resolution 1982/62.)

The second resolution, drawn closely from the JIU report, appealed to UN system organizations to assist African governments in incorporating into their country programs and projects the goals and objectives of the Lagos Plan of Action for the Implementation of the Monrovia Strategy for the Economic Development of Africa. The resolution requested the Secretary General to take appropriate measures with regard to the JIU recommendations, "in particular those which are urgent and require priority," and approved his comments on the report. (These comments, *inter alia*, recommended financing the MULPOCs from the regular UN budget.) (ECOSOC resolution 1982/63.) The United States reserved its position with respect to the recommended financing for the MULPOCs, but it supported most of the other recommendations of the JIU.

Two similar resolutions were adopted by the General Assembly. The first, which approved financing for MULPOCs from the regular budget, was approved in the Second Committee on December 8 by a recorded vote of 98 to 14 (U.S.), with 16 abstentions, and adopted by

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[4] "Report on the Economic Commission for Africa: Regional Programming, Operations, Restructuring, and Decentralization Issues." This report is the first of a series that the JIU is undertaking on the regional commissions as part of a wide-ranging appraisal by the General Assembly of the results of restructuring.

the Assembly on December 17 by a recorded vote of 113 to 14 (U.S.), with 16 abstentions. The United States voted against the resolution because it opposed the transfer of positions and activities from voluntary to assessed budgets. Further, it believed that decentralization requires that any buildup of regional activities must be balanced by a decrease in headquarters activities. (Resolution 37/138.)

The United States supported the second resolution (37/214), which was adopted without a vote on December 20. Bearing the same title as the JIU report, the resolution endorsed ECOSOC resolution 1982/63, welcomed the JIU's recommendations, and called on the Secretary General to institute a number of management improvements to ensure that ECA functions "at optimum efficiency and effectiveness." These improvements, recommended by the JIU, included the establishment of an internal evaluation unit and strengthening of management services.

Apart from the special issue of strengthening ECA, the Second Committee of the General Assembly once again failed to devote any significant time to the consideration of restructuring. Informal consultations among interested states led to an implicit recognition of the impracticality of continuing to place the issue on the agenda every year. At the same time, however, member states were reluctant to leave the topic entirely. The result was preparation of an omnibus decision that touched briefly on all portions of resolution 32/197.

The part of the decision of most interest to the United States called for implementation of the JIU recommendations in its 1981 report on "Relationships Between the Director General for Development and International Economic Cooperation and Entities of the UN Secretariat." The appointment of the Director General in 1978 was the major innovation resulting from section VIII of resolution 32/197, but the Director General had been unable to carry out the broad leadership and coordination functions envisaged for him because his duties and authorities had never been clearly defined. Among other recommendations the JIU proposed measures for rectifying this state of affairs. The United States strongly urged their implementation in the interests of good management and a practical furthering of the goals of restructuring.

In other parts of the decision the Assembly took notice of or approved various papers which had been presented to the Assembly, and decided that in the future the topic of restructuring would be discussed on a triennial basis, beginning with the 39th General Assembly in 1984 when "all aspects" of resolution 32/197 would be reviewed. The Secretary General was invited to prepare a report on implementation of sections III to VIII of the Annex for the Assembly's use in that review.[5] The Second Committee approved the

[5] Section I: General Assembly; section II: ECOSOC; section III: Other UN forums for

decision by consensus on December 13, and it was adopted by the Assembly on December 20. (Decision 37/442.)

ADMINISTRATIVE, FINANCIAL, AND PERSONNEL SECTORS

In the wake of a lengthy and sometimes acrimonious debate on personnel issues at the 35th General Assembly, a 17-member Committee of Governmental Experts to Evaluate the Present Structure of the Secretariat in the Administrative, Finance, and Personnel Areas was established.[6] The main reason for creating the committee was the belief of many states that the existing structure did not provide adequately for the implementation by the Office of Personnel Services of General Assembly resolutions on personnel policy.

The Committee issued an interim report to the 36th Assembly which, without drawing conclusions, discussed complex issues in seven areas: (1) the capacity of the structure to promote overall policy coherence and clear lines of authority and responsibility within the organization; (2) the adequacy of the structure to undertake in an integrated way the implementation of personnel reforms and recruitment policies; (3) the role of the Executive Office of the Secretary General in relation to the administrative, financial, and personnel areas; (4) the capacity of the structure to achieve a proper balance between administrative decentralization and central control and coordination; (5) the role of the Director General for Development and International Economic Cooperation in relation to the present functions and structure of the administrative, financial, and personnel areas; (6) the adequacy of the structure to undertake in an integrated way the program planning function in relation to preparation of the program budget and allocation of resources; and (7) development of effective management tools based on modern information systems that will enhance the effectiveness of the administrative, financial, and personnel areas through a review of the roles of the Administrative Management Service (AMS) and the Electronic Data Processing and Information System Division (EDPIS).

The 36th Assembly requested the Secretary General to consult with the Committee of 17 on the issues raised in the interim report and requested the Committee to submit its final report in 1982.

The Committee, which met nine times between September 15–October 22, 1982, had before it an August 30 note from the Secretary General commenting on each of the seven issues.

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negotiations, including UNCTAD and other UN organs and programs, the specialized agencies, the IAEA and *ad hoc* world conferences; section IV: Structures for regional and interregional cooperation; section V: Operational activities of the UN system; section VI: Planning, programing, budgeting, and evaluation; section VII: Interagency coordination; section VIII: Secretariat support services.

[6] The committee was composed of experts from Benin, Brazil, China, Colombia, France, Federal Republic of Germany, India, Japan, Norway, Pakistan, Poland, Sudan, Trinidad and Tobago, U.S.S.R., United States, Zaire, and Zambia. The U.S. expert was Winthrop M. Southworth.

The Secretary General reaffirmed his view that the existing structure (i.e., with an Under Secretary General over separate offices for personnel, finance, and general services) was rationally conceived and did, indeed, have the capacity to carry out the varied responsibilities of the Organization in this broad area of activity. He also affirmed that the present administrative structure was fully capable of developing and monitoring a clear policy of decentralization, and he informed the Committee that he had asked the Under Secretary General for Special Assignments to review this matter so that instructions for further steps in this area might be issued by the end of the year. With regard to the role of the Director General, and the relation between program planning and preparation of the budget, the Secretary General called attention to his establishment of a Program Planning and Budgeting Board, composed of senior Secretariat officals, with responsibility for overseeing the development and monitoring of all aspects of the planning, programing, and budgeting process. This Board, he noted, would be chaired by the Director General whenever he, himself, was unavailable because of other duties. Noting the interest shown in the development of effective management tools, he reported that he had asked the Under Secretary General for Administration and Management to review the role and effectiveness of the AMS and the EDPIS and to report on any improvements which might seem necessary. Finally, he reported that he had reinstituted the title "Controller" for the Assistant Secretary General for Financial Services in order to give proper recognition to that official's role as focal point for financial management. (The latter action was of particular interest to the United States, which had strongly advocated use of the title.)

In general, the Committee of 17 accepted the Secretary General's position with respect to each major point. The overall conclusion of the Committee's report—which made no recommendations to the Assembly—was that under the Charter the Secretary General was the chief administrative officer of the United Nations and therefore had the responsibility and authority to determine the structure of the Secretariat. It was implicit in the Committee's conclusion that a new Secretary General should be allowed a free hand.

The Fifth Committee considered the Committee's report at five meetings between November 26–December 2. On the latter day it approved without objection a draft resolution introduced by Sweden on behalf of 14 sponsoring states, including the United States. The resolution commended the report of the Committee to the Secretary General and requested him to submit to the 39th Assembly in 1984 a report on the major issues identified by the Committee, including any changes in the administrative structure that he considered important. The General Assembly in plenary session adopted the resolution without a vote on December 21. (Resolution 37/239.)

UN ADMINISTRATIVE MATTERS

Committee on Conferences

The Committee on Conferences[7] met nine times between February 18–August 27 to consider recommendations concerning increasing efficiency in the delivery of conference services; coordination of conference within the UN system; Secretariat organization for UN special conferences; calculation and presentation of conference servicing costs; and the proposed calendar of conferences for 1983.

As a result of these meetings, the Committee included in its report a draft resolution which included eight recommendations for General Assembly approval. The Fifth Committee considered the report and recommendations at 11 meetings between October 4–26 under two agenda items entitled, "Control and Limitation of Documentation" and "Pattern of Conferences." Recommendations 1, 2, and 3, which concerned conference scheduling and approval of the calendar of conferences for 1983, were adopted by consensus. Recommendation 7, which took note of the JIU report on the control and limitation of documentation, and recommendation 8, which endorsed the upgrading of electronic equipment in the conference rooms at Headquarters, were also adopted by consensus.

Recommendations 4 and 5 addressed the organizational problems of UN special conferences. Recommendation 4 established specific guidelines on the Secretariat's organization for special conferences. The guidelines were designed to improve the effectiveness and efficiency of preparation procedures for special conferences and centered on the establishment of a Secretariat level conference management committee. The guidelines in recommendation 4 were adopted, with minor amendments, by consensus. Recommendation 5, as originally drafted, would have required the host government for a UN special conference to make an advance payment to the UN to cover early preparatory expenses. However, the recommendation was amended, over U.S. objection, to make such payment optional. Recommendation 5, as amended, was adopted by a vote of 80 to 19 (U.S.), with 10 abstentions.

Recommendation 6 dealt in some detail with the limitation of meeting records and documentation for subsidiary bodies of the UN. On October 19, the United States introduced two amendments: the first strengthened the requirement that the limit of 32 pages on the reports of subsidiary bodies be adhered to, and the second requested the Secretary General to provide for a reduction in number of conference days in 1984–85 as compared to 1982–83. When introduc-

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[7] Membership in 1982: Algeria, Austria, Chile, Cyprus, France, Federal Republic of Germany, Honduras, Hungary, Indonesia, Japan, Kenya, Mexico, New Zealand, Nigeria, Peru, Senegal, Sri Lanka, Tunisia, U.S.S.R., United Kingdom, United States, and Yugoslavia.

ing these amendments the U.S. Representative, Edward Keller, said that the intention of the first amendment was to reflect delegations' clear desire to control the length of reports more rigorously, and the intention of the second was to encourage greater dispatch and efficiency in the work of the United Nations. After further discussion, the U.S. proposal in the first amendment was adopted. The second amendment, however, was withdrawn due to stiff opposition in the Fifth Committee.

On October 26, the Fifth Committee completed its work on the Committee on Conferences report. As a result, the Fifth Committee sent to the General Assembly a five-part draft resolution. That resolution (37/14) was adopted by the General Assembly on November 16. Parts A, D, and E of the resolution, which incorporated recommendations 1, 2, 3, 7, and 8, were adopted without a vote. Part B, which incorporated recommendations 4 and 5 was adopted by a vote of 136 (U.S.) to 0, with 0 abstentions. Part C, which covered recommendation 6 was adopted by a vote of 138 (U.S.) to 1, with 0 abstentions.

This did not, however, complete the work of the Committee on Conferences. The Committee held meetings on November 12 and November 17 to consider several items concerning the scheduling of conferences. The most important item concerned a draft resolution which had been approved by the Third Committee, and which made an exception to the established rule that the added costs of holding a conference away from UN Headquarters shall be absorbed by the host country. The conference in question was the Second World Conference to Combat Racism and Racial Discrimination, which the Government of the Philippines offered to host in Manila.

The Committee on Conferences advised the Fifth Committee that the exception to General Assembly resolutions 2609 (XXIV) and 31/140 made in the Third Committee resolution involved a serious matter of principle in that it ignored a well-founded concept that when a government issues an invitation for a conference to be held within its territory it should defray the actual additional costs directly or indirectly involved. The Committee on Conferences further advised the Fifth Committee that such a departure from a well-established principle should be discouraged. (For discussion of subject in Third Committee, see p. 211.)

This report was helpful to the Fifth Committee in deciding against the exception for Manila. As a result of the consensus decision by the Fifth Committee, the Philippine Government withdrew its invitation to host the Conference in Manila and an important principle was upheld.

UN Accommodations

Four important actions taken by the 37th General Assembly concerned UN facilities.

UN BUILDINGS AT NAIROBI

Construction of permanent headquarters facilities for the UN Environment Program (UNEP), with accommodations for the other UN offices at Nairobi, was first authorized by the 32nd General Assembly in 1977.

A construction contract was to have been awarded in 1980. However, when bids from prequalified firms were opened, UNEP management decided not to accept any of them, predicating the action on the decision of the UNEP Executive Director that the original project design was too large and could be reduced without compromising UNEP's needs. Many believed, however, that a key factor in management's decision was pressure by some member states against awarding the contract to the low bidder, a Kenyan subsidiary of an Israeli-owned construction firm.

In March 1982, the construction contract was finally awarded to a Kuwaiti builder and the building works were initiated on April 19. Since the construction contract is for 24 months, the UN accommodation at Nairobi is expected to be completed by the end of April 1984.

The Secretary General reported to the 37th General Assembly that due to gains in the value of the U.S. dollar against the Kenyan shilling, a surplus of approximately 2.4 million U.S. dollars over the total outstanding obligations had accumulated. The Secretary General proposed that part of this surplus be used for additional construction consisting of one office block and a visitors' pavilion. The ACABQ agreed with the Secretary General that it would be economical to construct an additional office block while the contractor is on the premises since a discounted price would be utilized, thus enabling the block to be constructed without requiring additional resources. Moreover, the Secretary General reported that after further consultations the Executive Directors of UNEP and the UN Center for Human Settlements had agreed that the remaining administrative functions should become part of the common services unit.

Speaking before the vote on December 11 in the Fifth Committee, the U.S. Representative, Edward Keller, strongly criticized the proposal for another office block and visitors' pavilion and charged that the project had become an elaborate game, given the earlier assurances that the project would be simplified. He pointed out that the excess funds resulting from the earlier appropriation belonged to member states and were not necessarily available for other projects. The recommendations of the Secretary General regarding construction and the report on common services were adopted by consensus in the Fifth Committee and again by consensus in the General Assembly on December 21. (Resolution 37/237, Sections IX and X.)

UN BUILDINGS AT NEW YORK

The Fifth Committee reviewed the Secretary General's report on the administrative and financial implications of acquiring additional office space for the UN Headquarters in New York along with the recommendations of the ACABQ at two meetings on December 8.The recommendation of the ACABQ for an additional appropriation of $5,341,100 in connection with the relocation and consolidation of offices in the UN Development Corporation II (UNDC II) building was approved by a Fifth Committee vote of 35 to 18, with 19 abstentions (U.S.). Speaking in the Fifth Committee, Mr. Keller stated that the overcrowding of existing Secretariat facilities was the result of excessive program growth and unless restraint were exercised at every stage of the program approval process, the Fifth Committee would continually be faced with requests for additional office space.

However, recognizing the fact that construction of UNDC II was well underway and contracts had already been signed between the United Nations and the UN Development Corporation for leasing office space in UNDC II, the United States abstained when the issue was put to a vote in the Fifth Committee.

The appropriation for UN Headquarters in New York was incorporated in the resolution concerning the program budget for 1982–83, which was adopted by the General Assembly on December 21 by a vote of 117 to 14 (U.S.), with 12 abstentions. (Resolution 37/243 A.)

UN BUILDING AT ADDIS ABABA

At its 36th session, the General Assembly had requested the Secretary General to undertake a study of the adequacy of the conference facilities at the ECA Headquarters and to report the findings of the study together with his suggestions to the 37th General Assembly.

At the 37th General Assembly, the Fifth Committee reviewed the report of the Secretary General and the related report of the ACABQ on December 11. The recommendation of the ACABQ for a $635,000 supplemental expenditure for interim alterations in the conference facilities and an architectural study of the cost estimates of construction and remodeling for each option suggested by the Secretary General was approved by a vote of 62 to 1 (U.S.), with 10 abstentions. The results of the study should be available for review at the 38th General Assembly. Speaking in Committee, Mr. Papendorp said that excessive program growth inevitably led to the construction of more facilities. Each year the UN conference schedule grew longer, and as a result, existing conference facilities became increasingly inadequate. As an alternative to expansion of the present facilities, he

suggested that economies could be sought in conference scheduling and that greater use be made of the new conference facilities in Nairobi, Kenya, since member states had invested approximately $30 million there and it would be more cost-effective to maximize the Nairobi facilities rather than to expand at Addis Ababa. On December 21 a separate vote was taken in the plenary Assembly on Section XI (adequacy of the conference facilities of the Economic Commission for Africa at Addis Ababa) of General Assembly resolution 37/237 (questions relating to the program budget). Section XI was adopted by a recorded vote of 132 to 1 (U.S.), with 11 abstentions.

UN BUILDINGS AT BAGHDAD

On December 17, the Fifth Committee reviewed the report of the Secretary General and the related report of the ACABQ on the relocation of ECWA from Beirut to its permanent headquarters in Baghdad. The ACABQ recommendation for a $2,274,500 supplemental expenditure to meet the expenses of the relocation was approved by a vote of 69 to 0, with 14 abstentions (U.S.).

The U.S. Representative, Mr. Keller, made a statement prior to the vote expressing gratitude to the Iraqi Government for its generosity in providing the building complex but voiced concern over the large number of new posts being created to service the new complex; the high cleaning and maintanance costs; and the transportation network the United Nations must establish to service the building complex.

The appropriation of ECWA was incorporated in the resolution concerning the program budget 1982 D83, which was adopted by the General Assembly on December 21 by a vote of 117 to 14 (U.S.), with 12 abstentions. (Resolution 37/243.)

The International Civil Service Commission

The International Civil Service Commission (ICSC)[8] held its 15th and 16th sessions at Geneva, March 1–19 and at UN Headquarters, New York, July 12–30, 1982, and issued its 8th annual report to the General Assembly in October. Key ICSC recommendations included: (1) a method for indexing pension payments to pensioners residing in countries with low rates of taxation; (2) proposals to raise the children's allowance from $450 to $700, and to increase the assignment and installation grants for professionals; (3) a finding that the

[8] The ICSC is responsible for making recommendations on salaries, allowances, other benefits, and conditions of service for Secretariat personnel to those organizations which participate in the UN common system of salaries and allowances. Its members are appointed in their personal capacity as individuals of recognized competence who have had substantial experience of executive responsibility in public administration or related fields, particularly in personnel management.

education grant should continue to be paid solely on an expatriate basis; (4) a request that the General Assembly defer for 1 year any action on raising the mandatory retirement age, as recommended by the UN Joint Staff Pension Board; (5) a transmission without recommendation of an ACC request that the General Assembly approve a 5% salary increase for professionals; (6) proposals to study a rental subsidy scheme at headquarters stations; and (7) a proposal to examine the need for payment by the United Nations of a higher ratio of the health insurance premium.

As part of its ongoing work program, the ICSC reported on its cycle of local wage surveys, job classification work, and completion of system-wide review of post adjustment.

The Fifth Committee considered the ICSC report at 12 meetings between November 8–December 13. The U.S. Representative, Senator Johnston of Louisiana, spoke on November 16, strongly opposing a salary increase as unwarranted on compensation grounds and unaffordable for the member states. The United States also opposed the increase in the children's allowance, as a measure that would overvalue this UN counterpart to the U.S. tax deduction for children.

Most of the ICSC's key recommendations were preluded in an omnibus resolution introduced by Canada, and cosponsored by 7 other countries. The resolution authorized no salary increase, but did include the increased children's allowance. The United States therefore voted against the omnibus resolution, which was approved by a vote of 79 to 10 (U.S.), with 6 abstentions, on December 13 in the Fifth Committee, and adopted by a vote of 123 to 11 (U.S.), with 6 abstentions, in the General Assembly on December 17. (Resolution 37/126.)

ELECTION OF INTERNATIONAL CIVIL SERVICE COMMISSION MEMBERS

The six ICSC seats whose terms had expired at the end of the year were filled by consensus in the Fifth Committee election on December 17, 1982, and confirmed by the General Assembly on December 21. (Decision 325.) The U.S. candidate, Mr. Dayton W. Hull, was among those elected to terms beginning in 1983.

Other ICSC members elected in 1982 are: Mr. Richard Akwei, Ghana, (also reelected Chairman); Mr. Gaston de Prat Gay, Argentina, (also reelected Vice Chairman); Mr. Moulaye El Hassen, Mauritania; Mr. Jiri Nosek, Czechoslovakia; and Mr. Masao Kanazawa, Japan. Remaining members are: Mr. Amjad Ali, Pakistan; Chief Michael Ani, Nigeria; Mr. Antoly Chistyakov, U.S.S.R.; Mr. Antonio Pimentel, Brazil; Mr. Jean-Claude Fortuit, France; Mr. Helmut Kitschenberg, Federal Republic of Germany; Mr. Ralph Enckell, Finland; Mr. M. A. Vellodi, India; and Mrs. Helima Warzazi, Morocco.

Personnel Questions

The Fifth Committee considered personnel questions extensively from October 15 to December 14, 1982. As in previous General Assemblies, the composition of the Secretariat dominated the Committee's consideration. In addition to regular reports by the Secretary General, two JIU reports, one on the composition of the Secretariat by nationality, the other a progress report on the status of women, were vehicles for discussion of the topic.

The reports of the Secretary General noted a reduction from 45 to 41 of under-represented and unrepresented countries, and showed a small increase in the proportion of women employees. Women now hold 22.2% of positions subject to geographic distribution, still below the 25% target set and confirmed by previous General Assembly resolutions.(See section on JIU, p.384, for discussion of a resolution on status of women.)

The Secretariat stated its intention of adopting a medium-term recruitment plan designed to progress further toward equitable geographic representation, in part through an expanded use of competitive examinations at the entry level. The plan is also to emphasize the importance of hiring more women to responsible Secretariat positions.

On December 11, the Committee approved by consensus a draft recommended by the Vice Chairman after consultations, which *inter alia*, (1) reaffirmed the Assembly's resolution 35/210 on the importance of equitable geographic distribution of posts; (2) stressed the importance of wide representation of member states in posts at the D-2 level and above; and (3) welcomed the medium-term recruitment plan as a step in support of (1) and (2). The Assembly adopted the resolution, also by consensus, on December 21. (Resolution 37/235 A.)

A resolution proposed by the ACABQ dealt with changes in the repatriation grant. The resolution took note of the advisory opinion of the International Court of Justice which upheld the acquired right of staff serving before January 1, 1980, to receive a repatriation grant without demonstrating proof of repatriation, and modified article XII of the staff regulations to prevent any future promulgation of provisional staff rules by the Secretary General from giving rise to acquired rights for staff. The resolution was adopted by consensus in the Committee on December 11 and by the full Assembly on December 21. (Resolution 37/235 C, Part I.)

Part II of the same resolution, proposed by the Secretary General, amended article VIII of the staff regulations to provide greater opportunity for staff at non-headquarters stations to present their views on personnel issues to Secretariat management. It was approved in committee on December 14 by a vote of 76 (U.S.) to 10, with 7 abstentions, and adopted in plenary on December 21 by a recorded

vote of 128 (U.S.) to 9, with 3 abstentions. (Resolution 37/235 C, Part II.)

A resolution which requested the Secretary General "to permit candidates participating in competitive examinations . . . to take the examination in any of the working languages of the regional commissions . . . ." This resolution, introduced on December 14 by Panama and cosponsored by 14 Spanish-and Arabic-speaking countries, was urged and passed as a fairer way to evaluate the potential of employees whose native language is not French or English, the two working languages of the Secretariat, in which all exams had heretofore been given. The resolution was adopted by consensus in committee on December 14 and in the plenary Assembly on December 21. (Resolution 37/235 D.)

A 16-power draft, adopted by consensus on December 14 in committee and December 21 in plenary, dealt with the protection of privileges and immunities of UN system employees. The Dutch initiated this resolution which reaffirmed resolution 36/232, noted with concern "the marked deterioration in the observance of the principles related to privileges and immunities . . .", and requested the Secretary General to suggest "further steps to alleviate the present situation." (Resolution 37/236 A.)

Yemen and Cuba sponsored a draft resolution on December 11 that drew attention to "the unprecedented character of the mass arrest by Israeli authorities" of UNRWA officials in Lebanon and called on the Secretary General to take measures without delay to obtain their earliest release. The draft was approved in Fifth Committee on December 14 by a vote of 94 to 1, with 2 (U.S.) abstentions, and adopted by the plenary Assembly on December 21 by a recorded vote of 141 to 1, with 1 abstention (U.S.). (Resolution 37/236 B.) The United States abstained from voting because of insufficient and conflicting evidence as to what had in fact occurred with regard to the UNRWA workers in Lebanon.

Two personnel-related matters were debated under the heading of budget supplements. On December 17, the Fifth Committee decided without objection to take note of the Secretary General's report on the contractual state of language teachers, aimed at granting greater security of tenure to language teachers (with interim financial implications of $106,000), and to consider the issue again at the 38th Assembly. On December 13, the Fifth Committee approved an Austrian proposal for upward reclassification of a number of top echelon posts in the Secretariat. The United States opposed this proposal both because of its financial implications, and because it did not believe the reclassifications had been adequately justified. It was nonetheless approved by a vote of 51 to 16 (U.S.), with 17 abstentions. (The recorded vote in plenary was 108 to 22 (U.S.), with 9 abstentions.) Both measures were included in the omnibus resolution

revising the 1982–83 budget, which was adopted on December 21. (Resolution 37/237.)

UN Pension System

The UN Joint Staff Pension Board (JSPB)[9] held its 30th session in Geneva in August, 1982. Its report to the General Assembly again forecast a large prospective actuarial deficit for the Pension Fund. The Fund takes in annual contributions equal to roughly 21% of the current income of its participants. Projected benefits to these participants equal about 28% of their current income. The projected actuarial deficit could become a real cash deficit in the early years of the next century, absent corrective action.

The Fifth Committee considered the Board's report at six meetings between November 30 and December 13, 1982. The Board proposed several measures to reduce benefits to current and future Fund participants and to increase organizational contribution levels. These recommendations, which are estimated to reduce the actuarial deficit by about one-half, included: (1) adoption of the U.S. Civil Service benefit accumulation formula (1.5% of salary paid as an annuity for each of the first 5 years of service; 1.75% for each of the second 5 years), replacing the current 2% per annum system; (2) stricter limits on the restoration of prior service; (3) inclusion in the Fund of all employees with appointments of 6 months or longer (instead of a 1-year appointment threshold); (4) less generous inflation indexation of deferred annuities; (5) elimination of refunds of a portion of organizational contributions to the organizations upon departure on non—vested employees; and (6) raised mandatory retirement from 60 to 62.

These Board recommendations were presented in the form of a draft resolution, subsequently modified by the Vice Chairman of the Fifth Committee. One key modification was to drop the Board's call for organizations to raise their mandatory retirement age from 60 to 62 and to request the Board and ICSC to study the matter further.

The United States opposed the modified resolution (which was approved by a vote of 85 to 1 (U.S.), with 15 abstentions) because of the financial implications for member states of eliminating refunds to organizations and because we strongly supported raising the retirement age. The United States argued against assessment of member states to make up an actuarial deficit that should be resolved by reducing benefits and/or better investment by the Fund.

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[9] The Joint Staff Pension Fund was established in 1949 to provide retirement, death, disability, and related benefits for staff upon cessation of their services with the United Nations. Fourteen organizations now participate in the Fund, which is administered by the 21-member JSPB, 7 of whom are chosen by the General Assembly and the corresponding legislative bodies of the organizations, 7 by the executive heads, and 7 by the participants. Sol Kuttner (U.S.) is a member of the Board representing the UN General Assembly. His 3-year term began January 1, 1980.

The General Assembly adopted a resolution as recommended by the Fifth Committee, by a recorded vote of 129 to 1 (U.S.), with 12 abstentions, on December 17. (Resolution 37/131.)

ELECTION OF UN STAFF PENSION COMMITTEE MEMBERS

Three persons were elected to fill expiring terms on the UN Staff Pension Committee, including Mr. Sol Kuttner of the United States who has served continuously on this body since 1974. The 3-year terms of these persons begin January 1, 1983.

Employment of Americans

The total number of professional employees serving in posts subject to geographic distritution in the United Nations, and its special programs of 8,356 at the end of 1982. At the end of 1981 the number was 7,167. The number of U.S. nationals was 1,195 (14.30%) in 1982. (In 1981 it was 1,009 (14.07%).)

During the year 1982, the number of Americans in professional posts subject to geographic distribution in the UN Secretariat decreased from 508 to 489; the percentage of Americans in these posts also decreased from 17.32% to 16.31%. The total number of women professionals in posts subject to geographic distribution in the UN Secretariat in 1982 was 668, of whom 179 (26.80%) were American.

In the specialized agencies, the percentage of Americans increased slightly in ICAO,WHO, WIPO, and WMO; remained the same in UPU; and declined slightly in FAO, IMO, ILO, ITU, UNESCO, and IAEA. For the most part the changes were minimal, representing the gain or loss of less than one percentage point.

The number of technical assistance experts employed by the United Nations and the specialized agencies increased from 13,479 at the end of 1981 to 14,409 at the end of 1982. The number of American technical assistance experts increased from 1,294 to 1,386 and the percentage increased slightly from 9.60% to 9.61%.

Appendix 1

Address by President Reagan to the UN General Assembly's Second Special Session on Disarmament and Address by Secretary Shultz to the General Assembly's 37th Regular Session

An Agenda for Peace

President Reagan's statement to the Second Special Session on Disarmament, New York, June 17, 1982.

I speak today as both a citizen of the United States and of the world. I come with the heartfelt wishes of my people for peace, bearing honest proposals, and looking for genuine progress.

Dag Hammarskjold said 24 years ago this month, "We meet in a time of peace which is no peace." His words are as true today as they were then. More than 100 disputes have disturbed the peace among nations since World War II, and today the threat of nuclear disaster hangs over the lives of all our peoples. The Bible tells us there will be a time for peace, but so far this century mankind has failed to find it.

The United Nations is dedicated to world peace and its charter clearly prohibits the international use of force. Yet, the tide of belligerence continues to rise. The charter's influence has weakened even in the 4 years since the first Special Session on Disarmament. We must not only condemn aggression, we must enforce the dictates of our charter and resume the struggle for peace.

The record of history is clear: Citizens of the United States resort to force reluctantly and only when they must. Our foreign policy, as President Eisenhower once said,". . . is not difficult to state. We are for peace, first, last, and always, for very simple reasons. We know that it is only in a peaceful atmosphere, a peace with justice, one in which we can be confident, that America can prosper as we have known prosperity in the past."

To those who challenge the truth of those words let me point out that at the end of World War II, we were the only undamaged industrial power in the world. Our military supremacy was unquestioned. We had harnessed the atom and had the ability to unleash its destructive force anywhere in the world. In short, we could have achieved world domination, but that was contrary to the character of our people.

Instead, we wrote a new chapter in the history of mankind. We used our power and wealth to rebuild the war-ravaged economies of the world, both East and West, including those nations who had been our enemies. We took the initiative in creating such international institutions as this United Nations, where leaders of goodwill could come

together to build bridges for peace and prosperity.

America has no territorial ambitions, we occupy no countries, and we have built no walls to lock our people in. Our commitment to self-determination, freedom, and peace is the very soul of America. That commitment is as strong today as it ever was.

The United States has fought four wars in my lifetime. In each we struggled to defend freedom and democracy. We were never the aggressors. America's strength and, yes, her military power have been a force for peace, not conquest; for democracy, not despotism; for freedom, not tyranny.

Watching, as I have, succeeding generations of American youth bleed their lives onto far-flung battlefields to protect our ideals and secure the rule of law, I have known how important it is to deter conflict. But since coming to the Presidency, the enormity of the responsibility of this office has made my commitment even deeper. I believe that responsibility is shared by all of us here today.

On our recent trip to Europe, my wife Nancy told me of a bronze statue, 22 feet high, that she saw on a cliff on the coast of France. The beach at the base of that cliff is called Saint Laurent, but countless American families have it written in the flyleaf of their Bibles and know it as Omaha Beach. The pastoral quiet of that French countryside is in marked contrast to the bloody violence that took place there on a June day 38 years ago when the allies stormed the Continent. At the end of just 1 day of battle, 10,500 Americans were wounded, missing, or killed in what became known as the Normandy landing.

The statue atop that cliff is called "The Spirit of American Youth Rising From the Waves." Its image of sacrifice is almost too powerful to describe. The pain of war is still vivid in our national memory. It sent me to this special session of the United Nations eager to comply with the plea of Pope Paul VI when he spoke in this chamber nearly 17 years ago. "If you want to be brothers," His Holiness said, "let the arms fall from your hands."

We Americans yearn to let them go. But we need more than mere words, more than empty promises, before we can proceed. We look around the world and see rampant conflict and aggression. There are many sources of this conflict—expansionist ambitions, local rivalries, the striving to obtain justice and security. We must all work to resolve such discords by peaceful means and to prevent them from escalation.

The Soviet Record

In the nuclear era, the major powers bear a special responsibility to ease these sources of conflict and to refrain from aggression. And that's why we're so deeply concerned by Soviet conduct. Since World War II, the record of tyranny has included Soviet violation of the Yalta agreements leading to domination of Eastern Europe, symbolized by the Berlin Wall—a grim, gray monument to repression that I visited just a week ago. It includes the takeovers of Czechoslovakia, Hungary, and Afghanistan and the ruthless repression of the proud people of Poland. Soviet-sponsored guerrillas and terrorists are at work in Central and South America, in Africa, the Middle East, in the Caribbean, and in Europe, violating human rights and unnerving the world with violence. Communist atrocities in Southeast Asia, Afghanistan, and elsewhere continue to shock the free world as refugees escape to tell of their horror.

The decade of so-called detente witnessed the most massive Soviet buildup of military power in history. They increased their defense spending by 40% while American defense spending actually declined in the same real terms. Soviet aggression and support for violence around the world have eroded the confidence needed for arms negotiations. While we exercised unilateral restraint, they forged ahead and, today, possess

nuclear and conventional forces far in excess of an adequate deterrent capability.

Soviet oppression is not limited to the countries they invade. At the very time the Soviet Union is trying to manipulate the peace movement in the West, it is stifling a budding peace movement at home. In Moscow, banners are scuttled, buttons are snatched, and demonstrators are arrested when even a few people dare to speak about their fears.

Eleanor Roosevelt, one of our first ambassadors to this body, reminded us that the high-sounding words of tyrants stand in bleak contradiction to their deeds. "Their promises," she said, "are in deep contrast to their performances."

U.S. Leadership in Disarmament and Arms Control Proposals

My countrymen learned a bitter lesson in this century: The scourge of tyranny cannot be stopped with words alone. So, we have embarked on an effort to renew our strength that had fallen dangerously low. We refuse to become weaker while potential adversaries remain committed to their imperialist adventures.

My people have sent me here today to speak for them as citizens of the world, which they truly are, for we Americans are drawn from every nationality represented in this chamber today. We understand that men and women of every race and creed can and must work together for peace. We stand ready to take the next steps down the road of cooperation through verifiable arms reduction. Agreements on arms control and disarmament can be useful in reinforcing peace, but they're not magic. We should not confuse the signing of agreements with the solving of problems. Simply collecting agreements will not bring peace. Agreements genuinely reinforce peace only when they are kept. Otherwise, we are building a paper castle that will be blown away by the winds of war. Let me repeat, we need deeds, not words, to convince us of Soviet sincerity should they choose to join us on this path.

Since the end of World War II, the United States has been the leader in serious disarmament and arms control proposals.

- In 1946, in what became known as the Baruch Plan, the United States submitted a proposal for control of nuclear weapons and nuclear energy by an international authority. The Soviets rejected this plan.
- In 1955, President Eisenhower made his "open skies" proposal, under which the United States and the Soviet Union would have exchanged blueprints of military establishments and provided for aerial reconnaissance. The Soviets rejected this plan.
- In 1963, the Limited Test Ban Treaty came into force. This treaty ended nuclear weapons testing in the atmosphere, outer space, or underwater by participating nations.
- In 1970, the Treaty on the Non-Proliferation of Nuclear Weapons took effect. The United States played a major role in this key effort to prevent the spread of nuclear explosives and to provide for international safeguards on civil nuclear activities. My country remains deeply committed to those objectives today and to strengthening the non-proliferation framework. This is essential to international security.
- In the early 1970s, again at U.S. urging, agreements were reached between the United States and the U.S.S.R. providing for ceilings on some categories of weapons. They could have been more meaningful if Soviet actions had shown restraint and commitment to stability at lower levels of force.

An Agenda for Peace

The United Nations designated the 1970s as the First Disarmament Decade, but good intentions were not enough. In reality, that 10-year period included an

unprecedented buildup in military weapons and the flaring of aggression and use of force in almost every region of the world. We are now in the Second Disarmament Decade. The task at hand is to assure civilized behavior among nations, to unite behind an agenda for peace.

Over the past 7 months, the United States has put forward a broad-based comprehensive series of proposals to reduce the risk of war. We have proposed four major points as an agenda for peace:

- Elimination of land-based intermediate-range missiles;
- A one-third reduction in strategic ballistic missile warheads;
- A substantial reduction in NATO and Warsaw Pact ground and air forces; and
- New safeguards to reduce the risk of accidental war.

We urge the Soviet Union today to join with us in this quest. We must act not for ourselves alone but for all mankind.

On November 18 of last year, I announced U.S. objectives in arms control agreements: They must be equitable and militarily significant, they must stabilize forces at lower levels, and they must be verifiable.

The United States and its allies have made specific, reasonable, and equitable proposals. In February, our negotiating team in Geneva offered the Soviet Union a draft treaty on intermediate-range nuclear forces. We offered to cancel deployment of our Pershing II ballistic missiles and ground-launched cruise missiles in exchange for Soviet elimination of their SS-20, SS-4, and SS-5 missiles. This proposal would eliminate, with one stroke, those systems about which both sides have expressed the greatest concern.

The United States is also looking forward to beginning negotiations on strategic arms reduction with the Soviet Union in less than weeks. We will work hard to make these talks an opportunity for real progress in our quest for peace.

On May 9, I announced a phased approach to the reduction of strategic arms. In a first phase, the number of ballistic missile warheads on each side would be reduced to about 5,000. No more than half the remaining warheads would be on land-based missiles. All ballistic missiles would be reduced to an equal level at about one-half the current U.S. number.

In the second phase, we would reduce each side's overall destructive power to equal levels, including a mutual ceiling on ballistic missile throw-weight below the current U.S. level. We are also prepared to discuss other elements of the strategic balance.

Before I returned from Europe last week, I met in Bonn with the leaders of the North Atlantic Treaty Organization. We agreed to introduce a major new Western initiative for the Vienna negotiations on mutual balanced force reductions. Our approach calls for common collective ceilings for both NATO the Warsaw Treaty Organization. After 7 years, there would be a total of 700,000 ground forces and 900,000 ground and air force personnel combined. It also includes a package of associated measures to encourage cooperation and verify compliance.

We urge the Soviet Union and members of the Warsaw Pact to view our Western proposal as a means to reach agreement in Vienna after 9 long years of inconclusive talks. We also urge them to implement the 1975 Helsinki agreement on security and cooperation in Europe.

Let me stress that for agreements to work, both sides must be able to verify compliance. The building of mutual confidence in compliance can only be achieved through greater openness. I encourage the Special Session on Disarmament to endorse the importance of these principles in arms control agreements.

I have instructed our representatives at the 40-nation Committee on Disarmament to renew emphasis on verification and compliance. Based on a U.S. propos-

al, a committee has been formed to examine these issues as they relate to restrictions on nuclear testing. We are also pressing the need for effective verification provisions in agreements banning chemical weapons.

The use of chemical and biological weapons has long been viewed with revulsion by civilized nations. No peacemaking institution can ignore the use of these dread weapons and still live up to its mission. The need for a truly effective and verifiable chemical weapons agreement has been highlighted by recent events. The Soviet Union and their allies are violating the Geneva Protocol of 1925, related rules of international law, and the 1972 Biological Weapons Convention. There is conclusive evidence that the Soviet Government has provided toxins for use in Laos and Kampuchea and are themselves using chemical weapons against freedom fighters in Afghanistan.

We have repeatedly protested to the Soviet Government, as well as the governments of Laos and Vietnam, their use of chemical and toxin weapons. We call upon them now to grant full and free access to their countries or to territories they control so that UN experts can conduct an effective, independent investigation to verify cessation of these horrors.

Evidence of noncompliance with existing arms control agreements underscores the need to approach negotiation of any new agreements with care. The democracies of the West are open societies. Information on our defenses is available to our citizens, our elected officials, and the world. We do not hesitate to inform potential adversaries of our military forces and ask in return for the same information concerning theirs. The amount and type of military spending by a country are important for the world to know, as a measure of its intentions, and the threat that country may pose to its neighbors. The Soviet Union and other closed societies go to extraordinary lengths to hide their true military spending not only from other nations but from their own people. This practice contributes to distrust and fear about their intentions.

Today, the United States proposes an international conference on military expenditures to build on the work of this body in developing a common system for accounting and reporting. We urge the Soviet Union, in particular, to join this effort in good faith, to revise the universally discredited official figures it publishes, and to join with us in giving the world a true account of the resources we allocate to our armed forces.

Last Friday in Berlin, I said that I would leave no stone unturned in the effort to reinforce peace and lessen the risk of war. It's been clear to me that steps should be taken to improve mutual communication and confidence and lessen the likelihood of misinterpretation.

I have, therefore, directed the exploration of ways to increase understanding and communication between the United States and the Soviet Union in times of peace and of crisis. We will approach the Soviet Union with proposals for reciprocal exchanges in such areas as advance notification of major strategic exercises that otherwise might be misinterpreted; advance notification of ICBM [intercontinental ballistic missile] launches within, as well as beyond national boundaries; and an expended exchange of strategic forces data.

While substantial information on U.S. activities and forces in these areas already is provided, I believe that jointly and regularly sharing information would represent a qualitative improvement in the strategic nuclear environment and would help reduce the chance of misunderstandings. I call upon the Soviet Union to join the United States in exploring these possibilities to build confidence, and I ask for your support of our efforts.

Call for International Support

One of the major items before this conference is the development of a com-

prehensive program of disarmament. We support the effort to chart a course of realistic and effective measures in the quest for peace. I have come to this hall to call for international recommitment to the basic tenet of the UN Charter—that all members practice tolerance and live together in peace as good neighbors under the rule of law, forsaking armed force as a means of settling disputes between nations. America urges you to support the agenda for peace that I have outlined today. We ask you to reinforce the bilateral and multilateral arms control negotiations between members of NATO and the Warsaw Pact and to rededicate yourselves to maintaining international peace and security and removing threats to peace.

We, who have signed the UN Charter, have pledged to refrain from the threat or use of force against the territory or independence of any state. In these times when more and more lawless acts are going unpunished—as some members of this very body show a growing disregard for the UN Charter—the peace-loving nations of the world must condemn aggression and pledge again to act in a way that is worthy of the ideals that we have endorsed. Let us finally make the charter live.

In late spring, 37 years ago, representatives of 50 nations gathered on the other side of this continent, in the San Francisco Opera House. The League of Nations had crumbled and World War II still raged, but those men and nations were determined to find peace. The result was this charter for peace that is the framework of the United Nations.

President Harry Truman spoke of the revival of an old faith—the everlasting moral force of justice prompting that UN conference. Such a force remains strong in America and in other countries where speech is free and citizens have the right to gather and make their opinions known.

President Truman said, "If we should pay merely lip service to inspiring ideals, and later do violence to simple justice, we would draw down upon us the bitter wrath of generations yet unborn." Those words of Harry Truman have special meaning for us today as we live with the potential to destroy civilization.

"We must learn to live together in peace," he said. "We must build a new world—a far better world."

What a better world it would be if the guns were silent; if neighbor no longer encroached on neighbor and all peoples were free to reap the rewards of their toil and determine their own destiny and system of government—whatever their choice.

During my recent audience with His Holiness Pope John Paul II, I gave him the pledge of the American people to do everything possible for peace and arms reduction. The American people believe forging real and lasting peace to be their sacred trust.

Let us never forget that such a peace would be a terrible hoax if the world were no longer blessed with freedom and respect for human rights. The United Nations, Hammarskjold said, was born out of the cataclysms of war. It should justify the sacrifices of all those who have died for freedom and justice. "It is our duty to the past," Hammarskjold said, "and it is our duty to the future, so to serve both our nations and the world."

As both patriots of our nations and the hope of all the world, let those of us assembled here in the name of peace deepen our understandings, renew our commitment to the rule of law, and take new and bolder steps to calm an uneasy world. Can any delegate here deny that in so doing he would be doing what the people—the rank and file of his own country or her own country—want him or her to do?

Isn't it time for us to really represent the deepest, most heartfelt yearnings of all of our people? Let no nation abuse this common longing to be free of fear. We must not manipulate our people by playing upon their nightmares; we must serve mankind through genuine disarmament. With God's help we can secure life and freedom for generations to come.

Secretary Shultz's statement to the 37th Session of the UN General Assembly, New York, September 30, 1982.

I begin by paying tribute to our new Secretary General, who has brought great distinction to the office during his brief tenure. Dag Hammarskjold once told the General Assembly that "independence, impartiality, objectivity—they all describe essential aspects of what, without exception, must be in the attitude of the Secretary General." Javier Perez de Cuellar, a man of the Third World and, I am proud to note, of the New World as well, has already demonstrated his strict adherence to this most exacting standard. In so doing, he has earned the esteem of my government and the gratitude of all who believe in the purposes of the charter.

I congratulate, as well, Mr. Hollai [Imre Hollai, Deputy Foreign Minister] of Hungary upon his election as President of the 37th Session of the General Assembly.

As I stand before you today, I cannot help but reflect on my relation to this city and to this hall. I was born about 4 miles from here. I was reared and educated not far away, just across the Hudson River. And I took a tour through this building just after it opened in 1952 marveling at the reality of a temple erected in the hope, at least, of abolishing war.

When I took that tour back in the early fifties, there was great public interest in what was called "the Meditation Room." I understand the room is still here. But in the years since then, this institution has become more famous for talk than for meditation. This hall has heard great ideas eloquently expressed. It has also heard doubletalk, platitudes, and ringing protestations of innocence—all too often aimed at camouflaging outrageous and inhuman acts.

But we must not ridicule words. I believe that the greatest advance in human history was not the wheel, the use of electricity, or the internal combustion engine. Indispensable to progress as these have been, our most remarkable achievement was the slow, clumsy but triumphant creation of language. It is words that released our ancestors from the prison of the solitary. Words gave us the means to transmit to our children and the future the crowning jewel of human existence: knowledge. The code of Hammurabi, the Bible, the analects of Confucius, the teachings of the Buddha, the Koran, the insights of Shakespeare, the creed of Mahatma Gandhi or Martin Luther King—all these are arrangements of words.

Is it not profoundly revealing that the first victims of tyrants are—words? No people better know the meaning of freedom than those who have been arrested, beaten, imprisoned, or exiled because of what they said. A single man speaking out—a Lech Walesa for example—is more dangerous than an armored division.

All of us here—whether we arrived after a short 1-hour flight, as I did, or came from the other side of the globe, as many of you did—enter this auditorium for one main purpose: to talk about what our governments see as the problems ahead and how they should be solved. On one point, at least, we can all agree: The problems are many and difficult. I shall not try, in the minutes allotted me, to deal with each—or even most—of those issues in detail. Instead, I want to give you some sense of the principles and general approach the United States will take toward our common problems.

Americans are, by history and by inclination, a practical and pragmatic people—yet a people with a vision. It is the vision—usually simple and sometimes naive—that has so often led us to dare and to achieve. President Reagan's approach to foreign policy is grounded squarely on standards drawn from the pragmatic American experience. As De Tocqueville pointed out, "To achieve its objective, America relies on personal

interest, and gives full reign to the strength and reason of the individual." That is as true now as when it was said 150 years ago. Our principal instrument, now as then, is freedom. Our adversaries are the oppressors, the totalitarians, the tacticians of fear and pressure.

On this foundation, President Reagan's ideas and the structure of his foreign policy are so straightforward that those of us enmeshed in day-to-day details may easily lose sight of them. The President never does; he consistently brings us back to fundamentals. Today, I will talk about those fundamentals. They consist of four ideas that guide our actions.

- We will start from realism.
- We will act from strength, both in power and purpose.
- We will stress the indispensable need to generate consent, build agreements, and negotiate on key issues.
- We will conduct ourselves in the belief that progress is possible, even though the road to achievement is long and hard.

Reality

If we are to change the world we must first understand it. We must face reality—with all its anguish and all its opportunities. Our era needs those who, as Pericles said, have the clearest vision of what is before them, glory and danger alike, and notwithstanding, go out to meet it.

Reality is not an illusion nor a slight of hand, though many would have us believe otherwise. The enormous, grinding machinery of Soviet propaganda daily seeks to distort reality, to bend truth for its own purposes. Our world is occupied by far too many governments which seek to conceal truth from their own people. They wish to imprison reality by controlling what can be read or spoken or heard. They would have us believe that black is white and up is down.

Much of present-day reality is unpleasant. To describe conditions as we see them, as I do today and as President Reagan has over the course of his presidency, is not to seek confrontation. Far from it. Our purpose is to avoid misunderstanding and to create the necessary preconditions for change. And so, when we see aggression, we will call it aggression. When we see subversion, we will call it subversion. When we see repression, we will call it repression.

- Events in Poland, for example, cannot be ignored or explained away. The Polish people want to be their own master. Years of systematic tyranny could not repress this desire, and neither will martial law. But in Poland today, truth must hide in corners.
- Nor can we simply turn our heads and look the other way as Soviet divisions brutalize an entire population in Afghanistan. The resistance of the Afghan people is a valiant saga of our times. We demean that valor if we do not recognize its source.
- And Soviet surrogates intervene in many countries, creating a new era of colonialism at the moment in history when peoples around the globe had lifted that burden from their backs.
- Nor will we shy away from speaking of other problems affecting the free and developing worlds. Much of the developing world is threatened by a crisis of confidence in financial institutions and the stultifying effects of state-controlled economies. The naturally vibrant economies of many Western nations and trade between the world's major trading partners are threatened by recession and rising protectionism. The great alliances that shore up world stability and growth—our hemispheric partnership and NATO, and the Western and Japanese industrial democracies—are challenged by new as well as chronic strains.
- Finally, the shadow of war still darkens the future of us all. There is no ultimate safety in a nuclear balance of terror constantly contested. There is no peace of mind at a time when increasing numbers of nations appear willing to launch their armies into battle for causes which seem local but have ramifica-

tions for regional and even global harmony.

The list of troubles is long; the danger of despair great. But there is another side to the present reality; it is a reality of hope. We are living in a fantastic time of opportunity. Historians in the future will surely marvel over the accomplishments achieved by human beings in the last half of this century. We have expanded the frontiers of thought—in science, biology, and engineering; in painting, music, and mathematics; in technology and architecture—far beyond the point anyone could have dared predict, much less hoped for. We know much today about the oceans and forests and the geological strata that lock in the story of our past. We know more about a baby—or the brain—than was accumulated in 10 millenia before our time. We are learning to produce food for all of us; we are no longer helpless before the threat of disease; we explore our universe as a matter of course. We are confronting the nature of nature itself. The opportunities are grand. This, too, is a clear reality. Thus, realism shows us a world deeply troubled, yet with reason for hope. There is one necessary condition: The only way we can enhance and amplify the human potential is by preserving, defending and extending those most precious conditions—freedom and peace.

Strength

America's yearning for peace does not lead us to be hesitant in developing our strength or in using it when necessary. Indeed clarity about the magnitude of the problems we face leads inevitably to a realistic appreciation of the importance of American strength. The strength of the free world imposes restraint, invites accommodation, and reassures those who would share in the creative work that is the wonderful consequence of liberty.

Strength means military forces to ensure that no other nation can threaten us, our interests, or our friends. But when I speak of strength, I do not mean military power alone. To Americans, strength derives as well from a solid economic base and social vitality at home and with our partners. And, most fundamentally, the true wellspring of strength lies in America's moral commitment.

The bulwark of America's strength is military power for peace. The American people have never accepted weakness, nor hesitancy, nor abdication. We will not put our destiny into the hands of the ruthless. Americans today are emphatically united on the necessity of a strong defense. This year's defense budget will ensure that the United States will help its friends and allies defend themselves—to make sure that peace is seen clearly by all to be the only feasible course in world affairs.

Along with military readiness and capability must come the willingness to employ it in the cause of peace, justice, and security. Today in Beirut the U.S. Marines—together with our allies Italy and France—are helping the Lebanese Government and Armed Forces assure the safety of the peoples of that tormented capital. Our Marines represent an extension of American power, not for war but to secure the peace. They are there to speed the moment when all foreign forces depart from Lebanon. There must be early agreement on a timetable for the full application of Lebanon's independence, sovereignty, and territorial integrity. Lebanon deserves the world's help—to secure peace and to rebuild a thriving society.

America will continue to use its strength with prudence, firmness, and balance. We intend to command the respect of adversaries and to deserve the confidence of allies and partners.

The engine of America's strength is a sound economy. In a time of recession, industrialized and less developed nations alike are bedeviled by excessive inflation, restricted markets, unused ca-

pacity, stagnating trade, growing pressure for protectionism, and the most potent enemy of expansion—pervasive uncertainty.

The United States, with its vast human and scientific resources, can survive an era of economic strife and decay. But our moral commitment and our self-interest require us to use our technological and productive abilities to build lasting prosperity at home and to contribute to a sound economic situation abroad.

President Reagan has instituted a bold program to get the American economy moving. Our rate of inflation is down markedly, and we will keep it down. This will add stability to the value of the dollar and give greater confidence to international financial markets.

The recent drop in U.S. interest rates will stimulate new investments within and beyond our shores. Conservation through market pricing of energy has reduced U.S. demand for world energy supplies. We are putting the recession behind us. A growing and open American economy will provide new markets for goods and services produced elsewhere and new opportunities for foreign investment. Just as we have a stake in worldwide recovery, others will prosper as our recovery develops.

For wider prosperity to take hold, we must cooperatively attend these international issues.

- The lure of protectionist trade policies must be resisted—whether in the form of overt import restrictions and export subsidies or by more subtle domestic programs. These can only distort world trade and impair growth everywhere. Let us determine to make the November ministerial meeting of the GATT [General Agreement on Tariffs and Trade] a time to stem these protectionist pressures and reinvigorate positive efforts for a more open trading system.
- The implications of the external debt of many nations must be understood. Immediate debt problems are manageable if we use good sense and avoid destabilizing actions. But the magnitude of external debt will almost inevitably reduce resources available for future lending for development purposes. Economic adjustment is imperative. The International Monetary Fund can provide critical help and guidance in any country's efforts to smooth the adjustment process. The new borrowing arrangement proposed by the United States can be crucial to this effort.
- And the necessity of reducing government interference in the market must be recognized. Every nation has the right to organize society as its inhabitants wish, but economic facts cannot be ignored. Those facts clearly demonstrate that the world's command economies have failed abysmally to meet the needs of their peoples. The newly prosperous industrialized nations are those with the most free and open markets.

The bedrock of our strength is our moral and spiritual character. The scources of true strength lie deeper than economic or military power—in the dedication of a free people which knows its responsibility. America's institutions are those of freedom accessible to every person and of government as the accountable servant of the people. Equal opportunity; due process of law; open trial by jury; freedom of belief, speech, and assembly—our Bill of Rights, our guarantees of liberty and limited government—were hammered out in centuries of ordeal. Because we care about these human values for ourselves, so must we then be concerned, and legitimately so, with abuses of freedom, justice, and humanitarian principles beyond our borders. This is why we will speak and act for prisoners of conscience, against terrorism, and against the brutal silencing of the Soviet Helsinki Watch Committee. This is why we are anxious to participate in periodic reviews of the human rights performance of ourselves as well as others. We welcome scrutiny of our own system. We are not perfect, and we know it, but we have nothing to hide.

Our belief in liberty guides our policies here in the United Nations as else-

where. Therefore, in this forum the United States will continue to insist upon fairness, balance, and truth. We take the debate on human rights seriously. We insist upon honesty in the use of language; we will point out inconsistencies, double standards, and lies. We will not compromise our commitment to truth.

Readiness To Solve Problems

The world has work to do for the realists, the pragmatists, and the free. With a clear understanding of the troubled circumstances of the hour and with a strengthened ability to act, we need, as well, the vision to see beyond the immediate present.

All of us here represent nations which must understand and accept the imperative of fair engagement on the issues before us and, beyond that, of common effort toward shared goals. Whether we are seeking to bring peace to regional conflict or a resolution of commercial differences, the time of imposed solutions has passed. Conquest, pressure, acquiescence under duress were common in decades not long past, but not today. Not everybody who wants his concerns addressed will find us automatically receptive. But when negotiations are in order, America is prepared to go to work on the global agenda and to do so in a way that all may emerge better off and more secure than before.

We manage our problems more intelligently, and with greater mutual understanding, when we can bring ourselves to recognize them as expressions of mankind's basic dilemma. We are seldom confronted with simple issues of right and wrong, between good and evil. Only those who do not bear the direct burden of responsibility for decision and action can indulge themselves in the denial of that reality. The task of statesmanship is to mediate between two—or several—causes, each of which often has a legitimate claim.

It is on this foundation that the United States stands ready to try to solve the problems of our time—to overcome chaos, deprivation, and the heightened dangers of an era in which ideas and cultures too often tend to clash and technologies threaten to outpace our institutions of control.

We are engaged in negotiations and efforts to find answers to issues affecting every part of the globe and every aspect of our lives upon it.

The Middle East. The agony of the Middle East now exceeds the ability of news bulletins or speeches to express; it is a searing wound on our consciousness. The region is in constant ferment. Unrest flares into violence, terror, insurrection, and civil strife. War follows war. It is clear to everyone in this hall that international peace, security, and cooperative progress cannot be truly achieved until this terrible regional conflict is settled.

All of us have witnessed in the past several months a graphic reminder of the need for practical peace negotiations in the Middle East. Of the nations in the world which need and deserve peace, Israel surely holds a preeminent place. Of the peoples of the world who need and deserve a place with which they can truly identify, the Palestinian claim is undeniable.

But Israel can only have permanent peace in a context in which the Palestinian people also realize their legitimate rights. Similarly, the Palestinian people will be able to achieve their legitimate rights only in a context which gives to Israel what it so clearly has a right to demand—to exist, and to exist in peace and security.

The most complex of international conflicts cannot be resolved by force. Neither the might of armies nor the violence of terrorists can succeed in imposing the will of the strong upon the weak. Nor can it be settled simply by the rhetoric of even the most carefully worded document. It can only be resolved through the give and take of direct negotiations leading to the establishment of practical arrangements on the ground.

In other words, it can only be resolved through hard work. For those who believe that there is no contradiction between permanent peace for Israel and the legitimate rights of the Palestinian people—and for those who believe that both are essential peace and that neither can be achieved without the other—the task can truly be a labor of love.

On September 1, President Reagan challenged the parties to the Arab-Israeli conflict to make a fresh start on the road to peace in the Middle East. The Camp David agreements, resting squarely on UN Security Council Resolution 242, with its formula of peace for territory, remain available to those who would accept the challenge to make this journey with us. The road will not be easy but, in his statement, President Reagan made a number of proposals which, for those who are willing to join the effort, make the journey safer and easier. I call on all concerned to accept President Reagan's challenge and hasten the realization of true peace in the Middle East.

Arms Control. In addition to the imperative need to resolve regional problems, there is an equally significant global imperative: to halt, and reverse, the global arms buildup. As an American, I am aware that arms control and disarmament are a special responsibility of the world's most powerful nations—the United States and the Soviet Union. And as an American, I can report that we are fulfilling our responsibility to seek to limit and reduce conventional and nuclear arms to the lowest possible levels.

With this goal in mind, President Reagan has initiated a comprehensive program for negotiated arms reductions. In central Europe, the most heavily armed region on this planet, the Western allies are seeking substantial reductions in NATO and Warsaw Pact troops to equal levels. To achieve this goal, we have recently introduced a new proposal designed to revitalize the talks in Vienna on mutual and balanced reductions in military manpower.

In the area of strategic arms, the United States has also taken the initiative by calling for a one-third reduction in the number of nuclear warheads that American and Soviet ballistic missiles can deliver. And in the talks in Geneva on intermediate-range nuclear forces, the United States has gone even further, by asking the Soviet Union to agree to a bold proposal for eliminating an entire category of weapons from the arsenals of the two sides.

But as important as these negotiations are, the problem of arms control cannot be left to the two superpowers. The threat of nuclear proliferation extends to every region in the world and demands the attention and energy of every government. This is not solely, or even primarily, a concern of the superpowers. The non-nuclear countries will not be safer if nuclear intimidation is added to already deadly regional conflicts. The developing nations will not be more prosperous if scarce resources and scientific talent are diverted to nuclear weapons and delivery systems.

Unfortunately, as the task becomes more important, it also becomes more difficult. Greater quantities of dangerous materials are produced, and new suppliers emerge who lack a clear commitment to nonproliferation. But the technology that helped to create the problems can supply answers as well. Vigorous action to strengthen the barriers to aggression and to resolve disputes peacefully can remove the insecurities that are the root of the problem. The United States, for its part, will work to tighten export controls, to promote broader acceptance of safeguards, to urge meaningful actions when agreements are violated, and to strengthen the International Atomic Energy Agency. As our action last week in Vienna should make clear, we will not accept attempts to politicize—and, therefore, emasculate—such vital institutions.

Progress

Perhaps the most common phrase spoken by the American people in our more

than two centuries of national life has been: "You can't stop progress." Our people have always been imbued with the conviction that the future of a free people would be good.

America continues to offer that vision to the world. With that vision and with the freedom to act creatively, there is nothing that people of goodwill need fear.

I am not here to assert, however, that the way is easy, quick, or that the future is bound to be bright. There is a poem by Carl Sandburg in which a traveler asks the sphinx to speak and reveal the distilled wisdom of all the ages. The sphinx does speak. Its words are: "Don't expect too much."

That is good counsel for all of us here. It does not mean that great accomplishments are beyond our reach. We can help shape more constructive international relations and give our children a better chance at life. It does mean, however, that risk, pain, expense, and above all endurance are needed to bring those achievements into our grasp.

We must recognize the complex and vexing character of this world. We should not indulge ourselves in fantasies of perfection or unfulfillable plans or solutions gained by pressure. It is the responsibility of leaders not to feed the growing appetite for easy promises and grand assurances. The plain truth is this: We face the prospect of all too few decisive or dramatic breakthroughs; we face the necessity of dedicating our energies and creativity to a protracted struggle toward eventual success.

Conclusion

That is the approach of my country—because we see not only the necessity, but the possibility, of making important progress on a broad front.

- Despite deep-seated differences between us and the Soviet Union, negotiators of both sides are now at work in a serious, businesslike effort at arms control.
- President Reagan has issued an important call for an international conference on military expenditure. The achievement of a common system for accounting and reporting is the prerequisite for subsequent agreement to limit or curtail defense budgets.
- The Caribbean Basin initiative establishes the crucial bond between economic development and economic freedom. It can be a model for fair and productive cooperation between economies vastly different in size and character.
- And the diplomatic way is open to build stability and progress in southern Africa through independence for Namibia under internationally acceptable terms.

Realism and a readiness to work long and hard for fair and freely agreed solutions—that is our recipe for optimism. That is the message and the offer which my government brings to you today.

I began my remarks here today with an informal personal word. Let me end in the same spirit. We must be determined and confident. We must be prepared for trouble but always optimistic. In this way the vast bounties produced by the human mind and imagination can be shared by all the races and nations we represent here in this hall.

A predecessor of mine as Secretary of State, whose portrait hangs in my office, conveyed the essence of America's approach to the world's dangers and dilemmas. He said we would act with "a stout heart and a clear conscience, and never despair."

That is what John Quincy Adams said nearly a century and a half ago. I give you my personal pledge today that we will continue in that spirit, with that determination, and with that confidence in the future.

Appendix 2

Principal Organs of the United Nations

General Assembly

The General Assembly is composed of all 157 members. They are:

Member	Date of Admission
Afghanistan	Nov. 19, 1946
Albania	Dec. 14, 1955
Algeria	Oct. 8, 1962
Angola	Dec. 1, 1976
Antigua and Barbuda	Nov. 11, 1981
Argentina	Oct. 24, 1945
Australia	Nov. 1, 1945
Austria	Dec. 14, 1955
Bahamas	Sept. 18, 1973
Bahrain	Sept. 21, 1971
Bangladesh	Sept. 17, 1974
Barbados	Dec. 9, 1966
Belgium	Dec. 27, 1945
Belize	Sept. 25, 1981
Benin	Sept. 20, 1960
Bhutan	Sept. 21, 1971
Bolivia	Nov. 14, 1945
Botswana	Oct. 17, 1966
Brazil	Oct. 24, 1945
Bulgaria	Dec. 14, 1955
Burma	Apr. 19, 1948
Burundi	Sept. 18, 1962
Byelorussian S.S.R.	Oct. 24, 1945
Cameroon	Sept. 20, 1960
Canada	Nov. 9, 1945
Cape Verde	Sept. 16, 1975
Central African Republic	Sept. 20, 1960
Chad	Sept. 20, 1960
Chile	Oct. 24, 1945
*China	Oct. 24, 1945
Colombia	Nov. 5, 1945
Comoros	Nov. 12, 1975
Congo	Sept. 20, 1960
Costa Rica	Nov. 2, 1945
Cuba	Oct. 24, 1945
Cyprus	Sept. 20, 1960
Czechoslovakia	Oct. 24, 1945
Denmark	Oct. 24, 1945
Djibouti	Sept. 20, 1977
Dominica	Dec. 18, 1978
Dominican Republic	Oct. 24, 1945
Ecuador	Dec. 21, 1945
Egypt	Oct. 24, 1945
El Salvador	Oct. 24, 1945
Equatorial Guinea	Nov. 12, 1968
Ethiopia	Nov. 13, 1945
Fiji	Oct. 13, 1970
Finland	Dec. 14, 1955
France	Oct. 24, 1945
Gabon	Sept. 20, 1960
Gambia	Sept. 21, 1965
German Democratic Republic	Sept. 18, 1973
Germany, Federal Republic of	Sept. 18, 1973

* By resolution 2758(XXVI) of October 25, 1971, the General Assembly decided "to restore all its rights to the People's Republic of China and to recognize the representatives of its Government as the only legitimate representatives of China to the United Nations."

Member	Date of Admission
Ghana	Mar. 8, 1957
Greece	Oct. 25, 1945
Grenada	Sept. 17, 1974
Guatemala	Nov. 21, 1945
Guinea	Dec. 12, 1958
Guinea-Bissau	Sept. 17, 1974
Guyana	Sept. 20, 1966
Haiti	Oct. 24, 1945
Honduras	Dec. 17, 1945
Hungary	Dec. 14, 1955
Iceland	Nov. 19, 1946
India	Oct. 30, 1945
Indonesia	Sept. 28, 1950
Iran	Oct. 24, 1945
Iraq	Dec. 21, 1945
Ireland	Dec. 14, 1955
Israel	May 11, 1949
Italy	Dec. 14, 1955
Ivory Coast	Sept. 20, 1960
Jamaica	Sept. 18, 1962
Japan	Dec. 18, 1956
Jordan	Dec. 14, 1955
Kampuchea	Dec. 14, 1955
Kenya	Dec. 16, 1963
Kuwait	May 14, 1963
Laos	Dec. 14, 1955
Lebanon	Oct. 24, 1945
Lesotho	Oct. 17, 1966
Liberia	Nov. 2, 1945
Libya	Dec. 14, 1955
Luxembourg	Oct. 24, 1945
Madagascar	Sept. 20, 1960
Malawi	Dec. 1, 1964
Malaysia	Sept. 17, 1957
Maldives	Sept. 21, 1965
Mali	Sept. 28, 1960
Malta	Dec. 1, 1964
Mauritania	Oct. 27, 1961
Mauritius	Apr. 24, 1968
Mexico	Nov. 7, 1945
Mongolia	Oct. 27, 1961
Morocco	Nov. 12, 1956
Mozambique	Sept. 16, 1975
Nepal	Dec. 14, 1955
Netherlands	Dec. 10, 1945
New Zealand	Oct. 24, 1945
Nicaragua	Oct. 24, 1945
Niger	Sept. 20, 1960
Nigeria	Oct. 7, 1960
Norway	Nov. 27, 1945
Oman	Oct. 7, 1971
Pakistan	Sept. 30, 1947
Panama	Nov. 13, 1945
Papua New Guinea	Oct. 10, 1975
Paraguay	Oct. 24, 1945
Peru	Oct. 31, 1945
Philippines	Oct. 24, 1945
Poland	Oct. 24, 1945
Portugal	Dec. 14, 1955
Qatar	Sept. 21, 1971
Romania	Dec. 14, 1955
Rwanda	Sept. 18, 1962
Saint Lucia	Sept. 18, 1979
Saint Vincent and the Grenadines	Sept. 16, 1980
Samoa	Dec. 15, 1976
Sao Tome and Principe	Sept. 16, 1975
Saudi Arabia	Oct. 24, 1945
Senegal	Sept. 28, 1960
Seychelles	Sept. 21, 1976
Sierra Leone	Sept. 27, 1961
Singapore	Sept. 21, 1965
Solomon Islands	Sept. 19, 1978
Somalia	Sept. 60, 1960
South Africa	Nov. 7, 1945
Spain	Dec. 14, 1955
Sri Lanka	Dec. 14, 1955
Sudan	Nov. 12, 1956
Suriname	Dec. 4, 1975
Swaziland	Sept. 24, 1968
Sweden	Nov. 19, 1946
Syria	Oct. 24, 1945
Tanzania	Dec. 14, 1961
Thailand	Dec. 16, 1946
Togo	Sept. 20, 1960
Trinidad and Tobago	Sept. 18, 1962
Tunisia	Nov. 12, 1956
Turkey	Oct. 24, 1945
Uganda	Oct. 25, 1962
Ukrainian S.S.R.	Oct. 24, 1945
U.S.S.R.	Oct. 24, 1945
United Arab Emirates	Dec. 9, 1971
United Kingdom	Oct. 24, 1945
United States	Oct. 24, 1945
Upper Volta	Sept. 20, 1960
Uruguay	Dec. 18, 1945
Vanuatu	Sept. 15, 1981
Venezuela	Nov. 15, 1945
Vietnam	Sept. 20, 1977
Yemen (Aden)	Dec. 14, 1967
Yemen (Sanaa)	Sept. 30, 1947
Yugoslavia	Oct. 24, 1945
Zaire	Sept. 20, 1960
Zambia	Dec. 1, 1964
Zimbabwe	Aug. 25, 1980

The General Assembly held one emergency special session in 1982, the 9th emergency special session (January 29–February 5) to consider the situation in the occupied Arab territories, and one special session, the 12th, devoted to the question of disarmament (June 28–July 9). The 7th emergency special session, first convened on July 22, 1980, to consider the question of Palestine adjourned temporarily on July 28 of the same year. It resumed April 20–28, June 25–26, August 16–19, and September 26, 1982.

The 37th regular session of the General Assembly convened September 21 and was suspended December 21. At the time of suspension, the President announced that the session would be reconvened for the purpose of considering various items on the agenda.

The Assembly elected Imre Hollai (Hungary) as President and the Chairpersons of the delegations of Austria, China, Congo, Cyprus, Democratic Yemen, France, Haiti, Jamaica, Kuwait, Libya, Mali, Nicaragua, Philippines, Qatar, Turkey, Uganda, U.S.S.R., United Kingdom, United States, Upper Volta, and Zambia as the 21 Vice Presidents.

The Chairpersons of the seven main committees, on which each member may be represented, were:

First Committee (Political and Security)—James Victor Gbeho (Ghana)

Special Political Committee—Abduldayem M. Mubarez (Yemen)

Second Committee (Economic and Financial)—O.O. Fafowora (Nigeria)

Third Committee (Social, Humanitarian, and Cultural)—Carlos Calero Rodrigues (Brazil)

Fourth Committee (Decolonization)—Raul Roa-Kouri (Cuba)

Fifth Committee (Administrative and Budgetary)—Andrzej Abraszewski (Poland)

Sixth Committee (Legal)—Philippe Kirsch (Canada)

SECURITY COUNCIL

The Security Council is composed of 5 members designated in the Charter as permanent and 10 members elected by the General Assembly for 2-year terms ending December 31 of a year given in the heading. 20Permanent Members: China, France, U.S.S.R., United Kingdom, United States

1982: Ireland, Japan, Panama, Spain, Uganda.

1983: Guyana, Jordan, Poland, Togo, Zaire.

On October 19, 1982, the Assembly elected Malta, Netherlands, Nicaragua, Pakistan, and Zimbabwe for terms beginning January 1, 1983.

TRUSTEESHIP COUNCIL

The Trusteeship Council is composed of the United States (as administrator of a territory) and the other four permanent members of the Security Council (China, France, U.S.S.R., United Kingdom).

The Trusteeship Council held its 49th session in New York, May 17–June 11, and a 15th special session at UN Headquarters, December 16–20.

ECONOMIC AND SOCIAL COUNCIL

ECOSOC is composed of 54 members elected by the General Assembly for 3-year terms ending December 31 of the year given in the heading.

1982: Australia, Bahamas, Belgium, Bulgaria, Chile, Ethiopia, Iraq, Italy, Jordan, Libya, Malawi, Mexico, Nepal, Nigeria, Thailand, United States, Yugoslavia, Zaire.

1983: Argentina, Bangladesh, Burundi, Byelorussian S.S.R., Canada, China, Denmark, Fiji, India, Kenya, Nicaragua, Norway, Peru, Poland, Sudan, United Republic of Cameroon, U.S.S.R., United Kingdom.

1984: Austria, Benin, Brazil, Colombia, France, Federal Republic of Germany, Greece, Japan, Liberia, Mali, Pakistan, Portugal, Qatar, Romania, Saint Lucia, Swaziland, Tunisia, Venezuela.

On October 20, 1982, the Assembly reelected Algeria, Ecuador, and the German Democratic Republic, and elected Botswana, Bulgaria, Congo, Djibouti, Ecuador, Lebanon, Luxembourg, Malaysia, Mexico, New Zealand, Saudi Arabia, Sierra Leone, Suriname, United States, and Thailand for terms beginning on January 1, 1983.

ECOSOC held its organizational session for 1982 (February 2–5) and its 1st regular session (April 14–May 7) in New York. The 2nd regular session was held in Geneva (July 7–30) and resumed in New York (October 25–27).

INTERNATIONAL COURT OF JUSTICE

The International Court of Justice consists of 15 members elected by the General Assembly and the Security Council for 9-year terms ending February 5 of the year given in parentheses.

The Judges, listed in their official order of precedence, are:

Taslim Olawale Elias of Nigeria (1985), President
Jose Sette Camara of Brazil (1988), Vice President
Manfred Lachs of Poland (1985)
Platon Dmitrievich Morozov of the Soviet Union (1988)
Nagendra Singh of India (1991)
Jose Maria Ruda of Argentina (1991)
Hermann Mosler of the Federal Republic of Germany (1985)
Shigeru Oda of Japan (1985)
Roberto Ago of Italy (1988)
Abdallah Fikri El-Khani of Syria (1985)
Stephen Schwebel of the United States (1988)
Robert Y. Jennings of the United Kingdom (1991)
Guy Ladreit de Lacharriere of France (1991)
Keba Mbaye of Senegal (1991)
Mohammed Bedjaoui of Algeria (1988)

SECRETARIAT

The Secretariat consists of a Secretary General, who is the chief administrative officer of the organization, and such staff as the organization may require. The Secretary General is appointed by the General Assembly upon the recommendation of the Security Council; the staff is appointed by the Secretary General under regulations established by the General Assembly.

On December 15, 1981, the 36th General Assembly appointed Javier Perez de Cuellar (Peru) Secretary General for a 5-year term beginning on January 1, 1982.

Appendix 3

United States Missions

U.S. MISSION TO THE UNITED NATIONS, NEW YORK

The United States is represented by a permanent mission at the Headquarters of the United Nations in New York. Under the direction of the U.S. Representative to the United Nations, the mission carries out the instructions of the President, as transmitted by the Secretary of State. It serves as the channel of communications between the U.S. Government and the UN organs, agencies, and commissions at the Headquarters; with the 153 other permanent missions accredited to the United Nations; and with various non-member observer missions. It is also a base of operations for the U.S. delegations to the General Assembly and to other UN bodies when they meet in New York.

The chief of mission, who has the rank of Ambassador, is the U.S. Representative to the United Nations; he or she also represents the United States in the Security Council. He or she is assisted by other persons of appropriate title, rank, and status, who are appointed by the President.

The mission has a staff including specialists in political, economic, social, financial, budgetary, legal, military, public affairs, and administrative matters. In 1982 about 140 persons were assigned to the mission by the Department of State and other U.S. Departments and Agencies.

The staff assists the U.S. Representative in such activities as (1) planning the tactical pursuit of U.S. policy objections in UN organs and bodies; (2) carrying out consultations, negotiation, and liaison with other delegations and the UN Secretariat; (3) preparing policy recommendations to the Department of State; (4) reporting to the Department of State on consultations and developments in the United Nations; (5) discharging U.S. responsibilities as "host government"—in particular those arising from the 1947 Headquarters Agreement between the United States and the United Nations (Public Law 357, 80th Cong.); the International Organizations Immunities Act of 1945, as amended; and the Convention on Privileges and Immunities of the United Nations, which deal, *inter alia*, with relations of the United Nations, its officials, and delegation members with Federal, State, and local authorities; (6) carrying out public affairs activities; and (7) planning and administering conference operations.

U.S. MISSION TO THE EUROPEAN OFFICE OF THE UNITED NATIONS AND OTHER INTERNATIONAL ORGANIZATIONS, GENEVA

The United States maintains a permanent mission in Geneva under the direction of a U.S. Representative, with the rank of Ambassador, who is accredited to the European Office of the United Nations and to the UN specialized agencies and other international organizations with headquarters in Geneva. The mission is responsible for the representation of U.S. interests at the UN European headquarters, in UN subsidiary bodies located in Geneva (such as UNCTAD, UNHCR, ECE, and the UN Disaster Relief Office); in the four specialized agencies which have

their headquarters in Geneva (WHO, WMO, ITU, and WIPO); and in other international bodies such as GATT, CCD, and the Intergovernmental Committee for European Migration. The mission also maintains liaison, as appropriate, with resident delegations of other nations in Geneva, as well as with a large number of non-governmental or voluntary organizations involved in humanitarian affairs, such as the International Committee of the Red Cross.

The mission maintains liaison on a continuing basis with the executive heads and members of secretariats of international bodies, reports on developments relating to them, monitors their programs and budgets, and makes policy and program recommendations to the Department of State.

The mission staff includes economic, political, financial, budgetary, scientific, agricultural, health, public affairs, humanitarian, and administrative advisers. In 1982 about 112 Americans including personnel detailed by U.S. Government Departments other than the Department of State, were assigned to the staff and 53 local employees were hired full-time.

The Ambassador often heads or serves as alternate on delegations to large conferences, and other officers of the mission either represent the United States in smaller international meetings or serve on the U.S. delegations to these.

OTHER U.S. MISSIONS

The United States also maintains missions at the headquarters of IAEA in Vienna and UNESCO in Paris and offices of a U.S. Representative at the headquarters of UNIDO in Vienna, FAO in Rome, ICAO in Montreal, and UNEP in Nairobi.

Appendix 4

United States Representatives

Permanent Representative and Chief of Mission to the United Nations: Jeane J. Kirkpatrick

Deputy Permanent Representative to the United Nations: Kenneth L. Adelman

Deputy Permanent Representative to the Security Council: William C. Sherman

Representative on the Economic and Social Council: Jose S. Sorzano

Alternate Permanent Representative for Special Political Affairs: Charles M. Lichenstein

U.S. Representative to the European Office of the United Nations and Other International Organizations: Geoffrey Swaebe

GENERAL ASSEMBLY

37th regular session (New York, Sept. 21–Dec. 21, 1981)
Representatives: Jeane J. Kirkpatrick;[1] Kenneth L. Adelman; J. Bennett Johnston; Robert W. Kasten, Jr.; John D. Lodge
Alternates: Gordon C. Luce; Herman Padilla; Jose S. Sorzano; Charles M. Lichenstein; William C. Sherman

7th resumed emergency special session (Apr. 20–28, June 25–26, Aug. 16–19, Sept. 24)
Representative: Jeane J. Kirkpatrick
Alternates: Kenneth L. Adelman; Charles M. Lichenstein; William C. Sherman

9th emergency special session (New York, Jan. 29–Feb. 5)
Representative: Jeane J. Kirkpatrick
Alternates: Kenneth L. Adelman; Charles M. Lichenstein; William C. Sherman

12th special session (New York, June 7–July 10)
Representatives: Jeane J. Kirkpatrick; John Warner; Samuel S. Stratton; Edwin Feulner, Jr.; Eugene V. Rostow
Alternates: Kenneth L. Adelman; Sam Nunn; Jack Kemp; Fred Ikle; Louis G. Fields

U.S. Scientific Committee on Effects of Atomic Radiation
31st session (Vienna, Mar. 15–26)
Representative: Robert D. Moseley, Jr.
Alternate: Warren K. Sinclair

[1] Secretary of State Shultz served as chairman of the delegation, *ex officio*, during his presence at the session.

Committee on Peaceful Uses of Outer Space
(New York, Mar. 22–Apr. 9)
Representative: Gerald Helman
Alternates: Ahmed Meer; Kenneth Pederson; David Small

Committee on Disarmament
(Geneva, Feb. 2–Apr. 23)
Representative: Eugene V. Rostow
Alternate: Louis G. Fields

(Geneva, Aug. 3–Sept. 17)
Representative: Eugene V. Rostow
Alternate: Louis G. Fields

Disarmament Commission
(New York, May 17–28)
Representative: Kenneth L. Adelman
Alternate: Louis G. Fields

Trade and Development Board of UNCTAD
24th session (Geneva, Mar.8–19)
Representative: Charles F. Meissner; Michael Smith
Alternates: John St. John; Irving L. Sanders

24th resumed session (Geneva, May 10–14)
Representative: Geoffrey Swaebe
Alternate: Charles F. Meissner

25th session (Geneva, Sept. 6–17)
Representative: Geoffrey Swaebe
Alternate: Charles F. Meissner

25th resumed session (Geneva, Oct. 19–22)
Representative: Gordon L. Streeb
Advisers: John Harter, John St. John

Special Committee on Peacekeeping Operations
Did not meet in 1982
Industrial Development Board of UNIDO
16th session (Vienna, May 10–28)
Representative: Roger Kirk
Alternate: Brewster R. Hemenway

UN Commission on International Trade Law
15th session (New York, July 26–Aug. 6)
Representative: Peter F. Pfund
Alternate: Robert Rosenstock

Governing Council of UNEP
Session of Special Character (Nairobi, May 10–18)
Representatives: James L. Buckley; Anne M. Gorsuch; A. Alan Hill
Alternate: William C. Harrop

Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization
(Geneva, Feb. 22–Mar. 19)
Representative: Robert Rosenstock
Alternate: Robert Filby

Ad Hoc Committee on the Indian Ocean
(New York, Mar. 1–12)
Representative: Kenneth L. Adelman
Alternate: David Adamson

(New York, May 17–28)
Representative: Kenneth L. Adelman
Alternate: David Adamson

(Geneva, Aug. 3–20)
Representative: Stephen Bond
Alternate: David Adamson

Committee on Conferences
(New York, Apr. 19–22)
Representative: Theodore Papendorp
Alternate: Michael Michalski

Committee on Information
(New York, Mar. 15–16)
Representative: Charles M. Lichenstein
Alternate: Martin Jacobs

(New York, June 21–July 9)
Representative: Charles M. Lichenstein
Alternate: Martin Jacobs

World Food Council
(Acapulco, Mexico, June 21–24)
Representative: John R. Block
Alternates: Michael Calingaert, Alan Tracy

Special Committee on Enhancing the Effectiveness of the Non-Use of Force in International Relations
(New York, Mar. 29–Apr. 23)
Representative: Robert Rosenstock
Alternates: Carol Schwab; Robert Filby

Ad Hoc Committee on Drafting International Convention Against Activities of Mercenaries
2nd session (New York, Jan. 25–Feb. 19)
Representative: James C. Gray, Jr.
Alternate: Ralph D. Martin

2nd UN Conference on the Peaceful Uses of Outer Space
Vienna, (Aug. 9–21)
Representative: James M. Beggs
Alternates: Anthony Calio; Joseph Charok; Mrs. William P. Clark; Richard de Lauer; Gerald B. Helman; Charles Z. Wick

SECURITY COUNCIL

Representative: Jeane J. Kirkpatrick
Deputies: Kenneth L. Adelman; William C. Sherman

Alternates: Charles M. Lichenstein; Herbert Reis; Jose S. Sorzano (from Aug. 2); Carl S. Gershman (from July 12); Warren Clark, Jr. (from Aug. 2); and Dirk Gleysteen (through July 15)

TRUSTEESHIP COUNCIL

49th session (New York, May 17–June 11)
Representative: William C. Sherman
Alternate: Douglas S. Kinney

15th special session (New York, Dec. 16–20)
Representative: William C. Sherman
Alternate: Douglas S. Kinney

ECONOMIC AND SOCIAL COUNCIL

Organizational session for 1982 (New York, Feb. 2–5)
Representative: Jose S. Sorzano
Alternates: Warren Clark, Jr.; Frank W. Brecher

1st regular session, 1982 (New York, Apr. 14–May 7)
Representative: Jose S. Sorzano
Alternates: Warren Clark, Jr.; Frank W. Brecher; David Cardwell; Norman Shaft

2nd regular session, 1982 (Geneva, July 7–30)
Representative: Jose S. Sorzano
Alternate: Geoffrey Swaebe

2nd regular session, 1982, resumed (New York, Oct. 25–27)
Representative: Jose S. Sorzano
Alternate: Dennis Goodman

Commission on Human Rights
38th session (Geneva, Feb. 1–Mar. 12)
Representative: Michael Novak
Alternates: Warren Hewitt; Richard Shifter; Geoffrey Swaebe

Commission on Narcotic Drugs
7th special session (Vienna, Feb. 2–8)
Representative: Dominick L. DiCarlo
Alternate: Clyde D. Taylor

Population Commission
Did not meet in 1982

Commission on Social Development
28th session (Vienna, Feb. 7–16)
Representative: Roger Kirk

Statistical Commission
Did not meet in 1982

Commission on Status of Women
29th session (Vienna, Feb. 24–Mar. 5)
Representative: Nancy Clark Reynolds

Alternate: Vivian L. Derryck

Commission on Transnational Corporations
8th session (Manila, Aug. 30–Sept. 10)
Representative: Seymour Rubin
Alternate: John T. McCarthy

Economic Commission for Africa
37th session (Geneva, Mar. 23–Apr. 3)
Representative: Geoffrey Swaebe
Alternate: Gordon L. Streeb

Economic Commission for Asia and the Pacific
38th session (Bangkok, Mar. 23–Apr. 3)
Representative: William C. Sherman
Alternate: Robert Brungart; John Gordon Dean

Economic Commission for Latin America
Did not meet in 1982

Economic Commission for Africa
17th session (Tripoli, Apr. 27–30)
No U.S. Representative

Economic Commission for Western Asia
9th session (Baghdad, May 8–12)
Representative: William T. Monroe

Executive Board of UNICEF
Special session (New York, Apr. 16)
Representative: Jose S. Sorzano
Alternate: Robert Zimmerman

(New York, May 10–21)
Representative: Marjorie Craig Benton
Alternates: Rita di Martino; John J. Hutchings, Jr., M.D.; Herbert Wing

Resumed session (New York, June 28)
Representative: Marjorie Craig Benton
Alternate: Rita di Martino

Committee on Non-Governmental Organizations
(New York, Apr. 14–16)
Representative: Robin R. Ritterhoff
Alternate: Thomas Windmuller

(Geneva, July 7)
Representative: Zachery A. Teich
Alternate: Heidi August

Committee for Program and Coordination
22nd session (New York, Apr. 19–May 28)
Representative: Theodore Papendorp
Alternate: Doris E. Austin

Committee on Food Aid Policies
13th session (Rome, Apr. 19–30)
Representative: Alan Tracy

Alternate: Roger Sorenson

14th session (Rome, Oct. 11–20)
Representative: Julia C. Block
Alternate: Roger Sorenson

Committee on Natural Resources
Did not meet in 1982

Executive Committee of the High Commissioner's Program (UNHCR)
33rd session (Geneva, Oct. 11–20)
Representative: H. Eugene Douglas

Commission on Human Settlements
5th session (Nairobi, Apr. 26–May 7)
Representative: Frederick A. Hansen
Alternate: Coleman J. Nee

Intergovernmental Committee on Science and Technology for Development
4th session (New York, May 24–June 4)
Representative: Warren Clark, Jr.
Alternate: Felix Dorough

Governing Council for UNDP
29th session (Geneva, May 24–June 21)
Representative: Joseph C. Wheeler
Alternate: Jose S. Sorzano

UN Assembly on the Aging
(Vienna, July 26–Aug. 6)
Representative: Richard S. Schweiker
Alternates: Dorcas R. Hardy; Virginia H. Knauer; C. Everett Koop, M.D.; John W. McDonald, Jr.; and Lennie-Marie Tolliver, M.D.

SPECIALIZED AGENCIES AND IAEA

Food and Agriculture Organization (FAO)
82nd session: FAO Council (Rome, Nov. 22–Dec. 3)
Representative: Seeley G. Lodwick
Alternates: Roger Sorenson; Joan S. Wallace

International Maritime Organization (IMO)
48th session: IMO Council (London, June 14–18)
Representative: Harvey Clew
Alternate: Capt. Joseph E. Vorbach, USCG

49th session: IMO Council (London, Nov. 15–19)
Representative: Louis N. Cavanaugh
Alternate: Capt. Joseph E. Vorbach, USCG

International Bank for Reconstruction and Development (IBRD)
U.S. Governor: Donald Regan
Alternate: Allan Wallace

International Development Association (IDA)
The U.S. Governor, Executive Director, and their alternates are the same as those of the IBRD

International Finance Corporation
The U.S. Governor, Executive Director, and their alternates are the same as those of the IBRD

International Civil Aviation Organization (ICAO)
U.S. Representative on ICAO Council and Permanent Representative:
Edmond P. Stohr

International Fund for Agricultural Development (IFAD)
Governing Council (Rome, Jan. 19–22)
Representative: John R. Bolton
Alternates: Michael Calingaert; Gordon L. Streeb

Governing Council (Rome, Dec. 13–15)
Representative: John R. Bolton
Alternate: Michael Calingaert

International Telecommunication Union (ITU)
Plenipotentiary Conference (Nairobi, Sept. 28–Nov. 5)
Representative: Michael Gardner
Alternates: William C. Harrop; Kalmann Schaeffer; Francis Urbany

UN Educational, Scientific, and Cultural Organization (UNESCO)
U.S. Member, Executive Board: Jean S. B. Gerard
U.S. Permanent Representative: Jean S. B. Gerard

Universal Postal Union (UPU)
1982 session UPU Executive Council (Bern, Apr. 29–May 13)
Representative: D. Clark Norton

World Health Organization (WHO)
35th World Health Assembly (Geneva, May 3–14)
Delegates: Richard S. Schweiker; Edward N. Brandt, Jr.,M.D.; Geoffrey Swaebe
Alternates: Neil A. Boyer; John H. Bryant, M.D.; Jarrett Clinton, M.D.; C. Everett Koop, M.D.

World Intellectual Property Organization (WIPO)
1982 ordinary sessions of WIPO governing bodies and of Unions administered by WIPO (Geneva, Nov. 22–26)
Representative: Gerald J. Mossinghoff
Alternate: Harvey J. Winter

World Meteorological Organization (WMO)
34th session (Geneva, June 7–26)
Representative: Richard Hallgren
Alternate: Alan D. Hecht

International Atomic Energy Agency (IAEA)
26th General Conference (Vienna, Sept. 20–24)
Representative: W. Kenneth Davis
Alternates: Richard T. Kennedy; Roger Kirk; Thomas M. Roberts

International Labor Organization (ILO)
68th International Labor Conference (Geneva, June 2–23)
Delegates: Raymond J. Donovan; Robert W. Searby; John Warnock
Alternates: Geoffrey Swaebe; David A. Peterson

Appendix 5

Scale of Assessments for the Apportionment of the Expenses of the United Nations

The scale of assessments for the contributions of member states to the United Nations budget for the financial years 1980, 1981, and 1982 was as follows:

Member State	Percent	Member State	Percent
Afghanistan	0.01	Cyprus	0.01
Albania	0.01	Czechoslovakia	0.83
Algeria	0.12	Denmark	0.74
Angola	0.01	Djibouti	0.01
Argentina	0.78	Dominica	0.01
Australia	1.83	Dominican Republic	0.03
Austria	0.71	Ecuador	0.02
Bahamas	0.01	Egypt	0.07
Bahrain	0.01	El Salvador	0.01
Bangladesh	0.04	Equatorial Guinea	0.01
Barbados	0.01	Ethiopia	0.01
Belgium	1.22	Fiji	0.01
Benin	0.01	Finland	0.48
Bhutan	0.01	France	6.26
Bolivia	0.01	Gabon	0.02
Botswana	0.01	Gambia	0.01
Brazil	1.27	German Democratic Republic	1.39
Bulgaria	0.16	Germany, Federal Republic of	8.31
Burma	0.01	Ghana	0.03
Burundi	0.01	Greece	0.35
Byelorussian S.S.R.	0.39	Grenada	0.01
Cameroon	0.01	Guatemala	0.02
Canada	3.28	Guinea	0.01
Cape Verde	0.01	Guinea-Bissau	0.01
Central African Republic	0.01	Guyana	0.01
Chad	0.01	Haiti	0.01
Chile	0.07	Honduras	0.01
China	1.62	Hungary	0.33
Colombia	0.11	Iceland	0.03
Comoros	0.01	India	0.60
Congo	0.01	Indonesia	0.16
Costa Rica	0.02	Iran	0.65
Cuba	0.11	Iraq	0.12

Member State	Percent
Ireland	0.16
Israel	0.25
Italy	3.45
Ivory Coast	0.03
Jamaica	0.02
Japan	9.58
Jordan	0.01
Kampuchea	0.01
Kenya	0.01
Kuwait	0.20
Laos	0.01
Lebanon	0.03
Lesotho	0.01
Liberia	0.01
Libya	0.23
Luxembourg	0.05
Madagascar	0.01
Malawi	0.01
Malaysia	0.09
Maldives	0.01
Mali	0.01
Malta	0.01
Mauritania	0.01
Mauritius	0.01
Mexico	0.76
Mongolia	0.01
Morocco	0.05
Mozambique	0.01
Nepal	0.01
Netherlands	1.63
New Zealand	0.27
Nicaragua	0.01
Niger	0.01
Nigeria	0.16
Norway	0.50
Oman	0.01
Pakistan	0.07
Panama	0.02
Papua New Guinea	0.01
Paraguay	0.01
Peru	0.06
Philippines	0.10
Poland	1.24
Portugal	0.19
Qatar	0.03
Romania	0.21
Rwanda	0.01
Samoa	0.01
Sao Tome and Principe	0.01
Saudi Arabia	0.58
Senegal	0.01
Seychelles	0.01
Sierra Leone	0.01
Singapore	0.08
Solomon Islands	0.01
Somalia	0.01
South Africa	0.42
Spain	1.70
Sri Lanka	0.02
Sudan	0.01
Suriname	0.01
Swaziland	0.01
Sweden	1.31
Syria	0.03
Tanzania	0.01
Thailand	0.10
Togo	0.01
Trinidad and Tobago	0.03
Tunisia	0.03
Turkey	0.30
Uganda	0.01
Ukrainian S.S.R.	1.46
U.S.S.R.	11.10
United Arab Emirates	0.10
United Kingdom	4.46
United States	25.00
Upper Volta	0.01
Uruguay	0.04
Venezuela	0.50
Vietnam	0.03
Yemen (Aden)	0.01
Yemen (Sanaa)	0.01
Yugoslavia	0.42
Zaire	0.02
Zambia	0.02
Grand Total	100.00

The rate of assessment for Saint Lucia, admitted to membership in the United Nations on Sept. 18, 1979, was established by the General Assembly on Nov. 3, 1980, as 0.01%.

The rates of assessment for Saint Vincent and the Grenadines and Zimbabwe, admitted to membership in the United Nations in 1980, were established by the General Assembly on December 18, 1981, as 0.01% and 0.02%, respectively.

In accordance with rule 160 of the Rules of Procedure of the General Assembly, states not members of the United Nations but which participate in certain of its activities shall be called upon to contribute toward the expenses incurred on the basis of the following rates:

Non-member state	Percent
Democratic People's Republic of Korea	0.05
Holy See	0.01
Liechtenstein	0.01
Monaco	0.01
Nauru	0.01
Republic of Korea	0.15
San Marino	0.01
Switzerland	1.05
Tonga	0.01

The following countries being called upon to contribute to the:

(a) International Court of Justice
Liechtenstein
San Marino
Switzerland

(b) Programs Related in International Drug Control
Holy See
Liechtenstein
Monaco
Republic of Korea
Switzerland
Tonga

(c) Economic and Social Commission for Asia and the Pacific
Republic of Korea

(d) Economic Commission for Europe
Switzerland

(e) United Nations Conference on Trade and Development
Democratic People's Republic of Korea
Holy See
Liechtenstein
Monaco
Republic of Korea
San Marino
Switzerland

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